COBBETT'S

POLITICAL REGISTER.

VOL. XVII.

FROM JANUARY TO JUNE

1810.

LONDON:

PRINTED BY T. C. HANSARD, PETERBOROUGH COURT, FLEET STREET.

PUBLISHED BY RICHARD BAGSHAW, BRYDGES STREET, COVENT GARDEN;

SOLD ALSO BY J. BUDD, PALL-MALL; W. AND J. RICHARDSON, ROYAL EXCHANGE.

BLACK, PARRY, AND KINGSBURY, LEADENHALL STREET; J. MERCER, DUBLIN;

J. MORGAN, PHILADELPHIA; AND E. SARGEANT, NEW-YORK.

TABLE OF CONTENTS.

OFFICIAL PAPERS.

	Page
FRANCE—Address of the Legislative Body to the Emperor; and his Answer	11
America—President's Message at the opening of the Session of Congress, Nov. 27th, 1809	13
Circular Letter of Mr. Jackson, dated Washington, Nov. 18, 1809	17
American Dispute—Correspondence between Mr. R. Smith, the American Secretary of State, and Mr. F. J. Jackson, the English Envoy	18, 32, 139, 649
Proceedings of the Common Hall of London, January 9, 1810	45
ditto of the Berkshire Meeting, January 15, 1810	84
King's Speech to both Houses of Parliament at the opening of the Session, January 23rd	113
Thanks of the City of London to Mr. Wardle, January 30, 1810	217
Flushing—Report of Adjutant Dubourg, on the present State of the Dock, Port, and Arsenal of Flushing, January 4, 1810	223
Parliamentary Reform—Proceedings at the Westminster Meeting, Feb. 9, 1810	248
South America—Conditions of Commerce	256
The Earl of Chatham's Statement of his Proceedings at Walcheren	281
Holland—Decree, dated January 16, 1810	306
Proceedings at the English Catholic Meeting, February 1	305
Notes of the French Official Paper, the Moniteur, on the King of England's Speech at the opening of the Parliament	307, 571
The Trial of Mr. Perry and Mr. Lambert for a Libel	339, 376, 464
Captain Warwick Lake's Court Martial	396, 459
America—Message from the President, transmitting Extracts from the Correspondence of Mr. Pinkney	478
Proceedings at the Nomination of Members for the County of Cambridge, March 13	499
Notes of the French Official Paper, the Moniteur, upon the Debates in the Parliament of Great Britain	573, 640, 661
Marriage of the Emperor Napoleon with the Archduchess Maria Louisa	662, 669
Imprisonment of Sir Francis Burdett and Parliamentary Reform—Proceedings of the Livery of London, May 4	784
Imprisonment of Sir Francis Burdett—Procession of the Livery of London; preceded by Mr. Sheriff Wood, in state, to the Tower, May 9	795
Major Cartwright's Petition to the House of Commons, May 10	797, 800
Sir Francis Burdett's Letters to Mr. Sheriff Wood and the Freeholders of Middlesex, May 5	819

TABLE OF CONTENTS.

Page

RESOLUTIONS, PETITIONS, REMONSTRANCES, &c. RELATIVE TO THE IMPRISONMENT OF SIR FRANCIS BURDETT, THE LIBERTY OF THE SUBJECT, AND PARLIAMENTARY REFORM.

Common Hall of London, May 21 - 820
Farringdon Ward Without, May 11 - 824
Castle Baynard Ward, May 22 - 826
Portsoken Ward, May 15 - 828
Liverpool, May 9 - 829
Carmarthen, April 23 - 831
Berwick upon Tweed, May 7 - 848
Berkshire, June 5 - 880
Sheffield, June 6 - 912
Nottingham, May 28 - 921, 939
Liverpool - 926, 938
Southwark - 987
Coventry - 994
Parish of St. Dunstan in the West - 999

First Report of the Select Committee on Proceedings relative to Sir Francis Burdett - 899, 909
King's Speech at the Prorogation, June 21 - 936
The Christians Petition to the House of Commons, June 8 - 941
Captain Foskett's Petition to the House of Commons - 948
Intercepted Correspondence—Letter from the Emperor Napoleon to the Queen of Sicily, upon the occasion of his Marriage with the Archduchess Maria Louisa - 952
Dutch Commercial Decree, May 21 - 959
Second Report from the Select Committee on Proceedings relative to Sir Francis Burdett - 961
Letter of Sir Francis Burdett, in Answer to that sent to him by the Inhabitants of Liverpool - 986
America—Mr. Pinckney's Correspondence with Marquis Wellesley - 989
Letter from Mr. Adair to the British Consul at Smyrna, Feb. 22 - 991
Letter from Gen. Vandamme, to the Minister at War, concerning Gen. Sarrazin 1039

MISCELLANEOUS.

Dr. Milner on the Catholic Claims - 52
Anti Catholicus on Catholic Emancipation - 82
Catholic Claims—Letter from Lord Grenville to the Earl of Fingal, Jan. 22, - 110
A. B. on the Hon. George Villiers' Delinquency - 122
Spartacus on the Catholic Claims - 128
Scotus on the Catholic Claims - 129
An Economist on Banking - 130
Speech of Mr. Deane at the Berkshire Meeting, upon the Subject of Assessed Taxes - 134
Lord Cochrane's Speech in the House of Commons, Jan. 29, on the Vote of Thanks to Lord Gambier - 185, 210
A Reporter of Parliamentary Debates for the Morning Post, on Mr. Windham's Attack upon the Press - 207
X. X. on the Affairs of the East India Company - 212
A. B. on the Delinquency of Mr. Hunt and Mr. Villiers - 244
Mr. Montagu Burgoyne's Letter to the Freeholders of Essex - 296
A Friend to Truth, in Defence of Mr. Windham - 297
J. V. on Jacobin Guineas - 301
SIR FRANCIS BURDETT TO HIS CONSTITUENTS; DENYING THE POWER OF THE HOUSE OF COMMONS TO IMPRISON THE PEOPLE OF ENGLAND - 421
W. F. S. on the Liberty of the Subject - 493
Mr. Worthington, on the Edinburgh Reviewers - 529
A. B. on Jacobin Guineas - 541

TABLE OF CONTENTS.

	Page
Swift's Character, Panegyric, and Description of the Legion Club	609
A Word in behalf of Mr. Gale Jones	612
W. F. S. on the Liberty of the Subject	614
A Free Thinker, on the Edinburgh Reviewers	631
Legality of the Execution of the Speaker's Warrant in the Case of Sir Francis Burdett examined	632
Mr. Erskine's (now Lord Erskine's) Opinion of the Proceedings of the Court of King's Bench in Ireland, by Attachment	656
The Whigs Grumbling	695
Lord Erskine's Letter to Mr. Sheridan on the Resolution of the Bench of Lincoln's Inn against the Press	697
Mr. O'Connor's Narrative	721, 757
Publicola, on the Privileges of the House of Commons	759
Delegator to Sir Samuel Romilly on the Penal Code	773
W. F. S. on the Liberty of the Subject	779
Philo-Justitia, on the Power of Parliament	817
The Rev. W. Shepherd on the Privilege of Parliament	897
Mr. Capel Lofft on the Nature and Extent of Privilege of Parliament	945
Question concerning Parliamentary Commitments	1001
Evidence relative to the Assault on the Duke of Cumberland	1005
Publicola, on the Privileges of the House of Commons	1033

ARTICLES BY THE EDITOR.

Napoleon's Projects	1
Jacobin Guineas	33
Napoleon's Projects	39
American Dispute	42
London Common Hall	44
Lord Castlereagh	65
Catholic Claims	78
Peculation	97
Parliament	104
Parliamentary Proceedings—Opening of the Session—Lord Porchester's Motion for Inquiry—Lord Cochrane's Motion about Lord Gambier's Court Martial	161
Shutting the Gallery	193
Shutting the Gallery	225
Spanish Revolution, or Turtle Patriot War	237
Corn against Sugar	240
Walcheren Inquiry—Medical Department	257
Mr. Yorke	321
Army Estimates	324
To the Independent Freeholders of the County of Cambridge	353
Lord Chatham	369
Reversion Bill	373
Cambridgeshire Election	385
Captain Warwick Lake	396
Power of Imprisonment by the House of Commons	417
What is Despotism	491
Our Staff	487
Jubilee Parliament	513
Sir Francis Burdett's Commitment to the Tower	545
Sir Francis and Parliamentary Reform	577
Sir Francis's Commitment to the Tower	641
Parliamentary Reform	646
Middlesex Meeting	673

TABLE OF CONTENTS.

	Page
Privilege of Parliament	705
Parliamentary Reform	712
City of London Meeting	716
Sir Francis Burdett and the Livery	737
Lord Cochrane's Speech	739.
Major Cartwright's Petition	747
Action against the Speaker	751
Counter Declaration	752
Parliamentary Reform	801
Abhorrers of Westminster	833
Berkshire Meeting	865
Rochester Meeting	869
Westminster Abhorrers	870
Nottingham Meeting	876
To my Readers	897
Mrs. Clarke	929
Scarcity of Corn	935
To the Readers of the Register	961
To the Readers of the Register	993

TABLE of the Number of CHRISTENINGS and BURIALS within the Bills of Mortality, from December 1809 to May 1810, inclusive.

Epochs.	CHRISTENED		BURIED.													
	Male.	Female	Under 2 Years	2 to 5	5 to 10	10 to 20	20 to 30	30 to 40	40 to 50	50 to 60	60 to 70	70 to 80	80 to 90	90 to 100, &c.	Total Buried. Males	Total Buried. Females
December	724	694	429	149	60	53	105	125	100	123	115	125	51	54	780	689
January	957	913	447	177	49	56	99	115	122	127	114	116	50	7	838	710
February	766	726	405	175	57	69	114	164	209	190	215	147	78	16	900	934
March	878	859	472	163	57	61	118	161	214	197	188	159	61	29	968	887
April.....	646	639	367	129	43	37	84	133	151	129	99	99	35	9	698	617
May	773	770	426	152	37	61	120	136	157	125	114	98	33	4	779	784
	4,744	4,601	2,546	945	323	337	640	876	1043	891	840	739	308	119	4,963	4,541

Total Christ... 9,345 — Total Buri...ls... 9,504

Table of the Prices of MEAT, SUGAR, SALT, and COALS, in LONDON, from Dec. 1809 to May 1810, inclusive.

	Dec.	Jan.	Feb.	Mar.	Apri	May	
	s. d.	s. d.	s. d.	s. d.	s. d	s. d.	per Stone of 8lb. to sink the offal.
Beef.....	6 0	6 4	6 6	6 4	6 0	6 6	
Mutton.	6 4	6 6	6 8	6 6	6 4	6 8	
Pork ...	7 4	7 0	8 0	7 0	6 8	6 8	
Sugar ..	50 1½	49 [illegible]	2 9[illegible]	50 11	50 [illegible]	47 8¼	Cwt.
Salt.....	1 0 0	1 0 0	1 0 0	1 0 0	1 0 0	1 0 0	Bushel
Coals ...	74 6	65 0	54 0	67 0	58 0	58 3	Chald.

Table of the Prices of the QUARTERN LOAF in LONDON, from Dec. 1809 to May 1810, inclusive.

Dec.		Jan.		Feb.		Mar.		Apr.		May	
Day.	Price.	Day.	Price.	Day.	Price.	Day.	Price.	Day.	Price.	Day.	Price.
	s. d.		s. d.		s. d.		s. d.		s. d.		s. d.
6	1 4½	4	1 4½	1	1 4½	5	1 3½	2	1 3½	1	1 3½
13	1 4½	11	1 4½	8	1 3½	12	1 3½	10	1 3½	8	1 3½
20	1 4½	18	1 4½	15	1 4½	19	1 3½	17	1 3½	15	1 3½
27	1 4½	25	1 4½	22	1 4½	26	1 3½	24	1 3½	29	1 4½

Table of the Prices of the English *Three per Cent. Consols*, from Dec. 1809 to May 1810, inclusive.

Day.	Dec.	Jan	Feb.	Mar.	April	May
1	70	70½	67⅛	67⅛	—	—
2	70½	70⅝	67¼	67½	68⅝	70¼
3	—	70¼	67¾	67½	68⅜	70½
4	70⅛	70¾	—	—	68⅝	70⅝
5	70⅝	70⅛	67⅞	67⅛	69⅛	70⅝
6	71	—	68	67¾	68⅝	—
7	70⅞	—	68	—	68½	70½
8	70⅝	69⅞	68	67⅞	—	70⅝
9	70½	69⅝	68⅛	67⅝	68⅞	73⅛
10	—	69⅝	68⅛	67¾	69⅛	70¾
11	70⅛	69¼	—	—	69¼	70⅝
12	71	69⅛	67⅞	67⅝	69⅜	70⅛
13	70⅝	69⅛	67⅝	67¼	69⅝	—
14	70⅝	—	67⅜	67⅛	69	70⅛
15	71	69	67¼	68	—	70⅝
16	71	68½	67¾	68¾	69⅛	70⅝
17	—	68½	67⅞	69½	69½	70½
18	70⅞	68⅝	67⅜	—	69⅞	70⅞
19	71	68¼	67⅛	68⅛	69	70⅛
20	71	68¾	67⅝	68½	—	—
21	71	—	67⅝	68½	69⅞	70⅞
22	71	68⅜	—	68⅜	—	71
23	70⅞	68¼	—	68⅝	—	70⅞
24	—	67¾	—	68½	—	71
25	—	68	—	—	69⅞	70⅝
26	—	68¼	—	68⅜	69⅜	70¼
27	—	68⅝	—	68¼	69⅝	—
28	70	—	—	68¼	—	70⅛
29	—	69	—	68⅜	—	—
30	—	—	—	68¼	70⅛	—
31	—	67⅞	—	68⅞	—	—

Table of the Prices of the French *Five per Cent. Consolides*, from Dec. 1809 to May 1810, inclusive.

Day.	Dec.	Jan.	Feb.	Mar.	April	May
1	—	—	—	—	—	—
2	—	—	—	—	—	—
3	—	—	—	—	—	—
4	—	—	—	—	—	—
5	—	—	—	—	—	80.50
6	—	—	—	—	—	—
7	—	—	—	—	—	—
8	—	—	—	—	—	—
9	82.70	—	82.15	—	—	—
10	—	—	—	—	78.10	—
11	—	—	—	—	—	—
12	—	—	—	—	—	—
13	—	—	—	—	—	—
14	—	—	—	—	—	—
15	—	—	—	—	—	—
16	—	—	—	—	—	—
17	—	—	—	—	—	—
18	—	—	—	—	76.80	—
19	—	—	—	—	—	—
20	—	—	—	—	—	—
21	83.10	—	—	—	—	—
22	—	—	—	—	—	—
23	—	—	—	—	—	—
24	—	—	79.75	—	—	—
25	—	—	—	—	—	80.50
26	—	—	—	—	—	—
27	—	—	—	—	—	—
28	—	—	—	—	—	—
29	—	—	—	—	79	—
30	—	—	—	—	—	—
31	—	—	—	—	—	—

COBBETT'S WEEKLY POLITICAL REGISTER.

Vol. XVII. No. 1.] LONDON, SATURDAY, JANUARY 6, 1810. [Price 1s.

"Thou hypocrite, first take the beam out of thine own eye!"

SUMMARY OF POLITICS.

NAPOLEON'S PROJECTS.—These projects were, in the main, evident enough before, but they seem now to be rather more fully developed.——The MORNING CHRONICLE and other prints, call the DIVORCE a solemn *farce;* and they have wisdom to set down the people of France *as slaves*, because they suffer such a thing to take place. What! and is this, then, a proof that the French nation is enslaved? Because an old woman is put away for the purpose of having a young one put in her place; because a woman, who has been married to Buonaparté, is put away by him, are we to conclude that the nation are slaves? I must here insert the passages, to which I allude; for, it will, another day, be amusing to look back, and see how measures (which, in all human probability) will be so important in their consequences, were, at first, spoken of in England:——"The projects of Napoleon, and "the reasons for assembling at Paris all "the host of tributary Kings and Princes, "begin to be developed. The first scene "of the drama appears to be, the long-"talked-of dissolution of the marriage of "Napoleon and Josephine." "We have "extracted a description of the form and "manner in which this Imperial pair were "released from their marriage vows," and "which our readers will find *highly amusing*. "The farce which was played for the "purpose of giving something *like the ap-"pearance of a legal sanction* to this pro-"ceeding, is *extremely laughable*. Napo-"leon having thus got rid of an old woman, "the next step, we suppose, will be to "marry a young one. This, indeed, is "pretty plainly hinted at in his speech "upon this subject, in which he intimates "his desire to have children, who shall "inherit his love for France, and so forth."——Again, "The solemn farce which "Buonaparté has exhibited in dissolving "his marriage with Josephine, is a com-"bination of *hypocritical* deference to pub-"lic opinion, with that real disregard of "the sentiments and understandings of "the better informed class of the commu-"nity, which the pride of power, the in-"toxication of success, and a temper na-"turally arrogant, are calculated to in-"spire. When he talks of immolating "the most sacred of his affections to the "wants of his people, and the unexampled "sacrifice which he has made, he must "entertain either the most sovereign *con-"tempt for the capacities* of the great mass "of the French nation, or take a strange "delight in *outraging the feelings of those "against whose hostility he considers himself "as perfectly secured.* There must, how-"ever, be many in France *whose enmity is "not to be despised.* Many who cannot "endure, with perfect indifference, that "*insult should be added to their political de-"gradation*, though it is probable that a "great majority of those on whom this "solemn mockery cannot impose, will "dismiss the matter with a shrug of the "shoulder, and a significant laugh, *if they "can venture so far to express their feelings.* "The horrid events which accompanied "the Revolution, *the habit of submitting to "the oppressions* of the conscription, and "the despair of being able to better their "situation, have produced a degree of "apathy in France which even the most "*humiliating proceedings of their Tyrant* can-"not effectually disturb."——A more senseless set of observations than these I do not recollect to have seen.——What does this writer mean by *a farce?* What does he mean by the *appearance* of a legal sanction? Is not the thing *real;* and, as to *legal*, what more of legality can any thing have, than has been given to this divorce? The act has been approved of and passed by those who make laws for France; and, if you call it farcical, you may, if you please, call those acts farcical, by which Napoleon was made Emperor of the French and King of Italy.——It is, therefore, downright silliness, or very childish affectation, to call this act a *farce;* to say, that it is *highly amusing*, and *extremely laughable.* Men, in our situation, who can laugh at this act, which is evidently the forerunner of great events, must be made of strange stuff indeed.——I should like to know, too, upon what ground it is,

that Buonaparté is, upon this occasion, charged with *hypocrisy*. His conduct has been pretty open, I think. His motives must have been fairly avowed, because he cannot be actuated by other motives than those which he has avowed. If it had been the gratification of mere passion that animated him, there would have been no need at all for the divorce. There has been *no disguise* at all. Not only is the motive evident, but it is openly and most explicitly avowed by him; and, yet, the Morning Chronicle charges him with *hypocrisy*.—— Next comes a most pathetic lamentation over the poor French nation, whose *capacities have been so contemned*, and whose *feelings have been so outraged* in this transaction. Alas! and Alas! says the Morning Chronicle, the poor nation have been so completely *bent down* by the *habit of submitting to oppressions*, that they will hardly venture to express their feelings at this new *insult*, added to their political degradation, or even at the most *humiliating* proceedings *of their Tyrant!*——Alas! and alas! for the poor people of France! Alas! poor people, their sovereign has put away his old wife with a view to take a young one. Just as if Mr. Perry never knew this done *before*. Just as if this was the *first time* that the thing had happened in the world. Just as if the writer imagined, that, by affecting to have lost his own powers of *recollection*, he would be able to deprive his readers of those powers. ——But, pray, Sir, *what reason* have the French people to be offended at this proceeding of their Emperor? I, for my part, can see no reason whatever for their being offended. I can see, in this act of divorce, no contempt offered to the mental capacities of the French nation: I can see, in it, no outrage offered to their feelings: I can see, in it, nothing insulting to the nation, nothing, either in the matter or manner of the whole, or any part, of the proceeding, humiliating, in the smallest degree, to the French nation. On the contrary, I think that man's mind must be strangely perverted, who does not perceive, that the proceeding must be grateful to the feelings of the French nation; must be flattering to the people of France, who will certainly prefer an Empress, young and of spotless fame, to one, of whom the world took the liberty to speak rather lightly, and whom an English biographer has described as one of the most infamous wretches that ever lived upon the face of the earth. It is quite curious to observe, how our Love and hatred shift about as occasion requires. The biographer, to whom I allude, and whose book, I believe, is entitled the REVOLUTIONARY PLUTARCH, has described the EMPRESS JOSEPHINE as the most dissolute, and most impious wretch that ever disgraced the female sex and form. She is, by this writer, said to have been one of those, who, in a state of perfect nudity, represented, before the public eye, the Goddess of Reason; and, she is said to have declared, during the life-time of her former husband, that, though she had several children, born after her marriage with him, she was *proud* to say, *that he was the father of neither of them*. I remember these two anecdotes; but, there are, in the work alluded to, two hundred, probably, as disgraceful as these.——This book has been very much read. It has been received with a greediness proportioned to the envy of some and the fear-inspired hatred of others. It has been believed, or affected to be believed, by a great part of those who have read it; and no small part of our daily, weekly, and monthly publications have bestowed their sanction upon it.——Well, then, if this book does *not* speak truth; if we are now ready to disavow the contents of this book, and to say, that Josephine is a mighty good sort of woman, who will believe us in future; and what a pretty figure shall we make in the world? If, on the contrary, we stand to what we have said; if we still assert, that Josephine has been, and is, the most dissolute and the most impious wretch amongst the daughters of EVE; if we still assert this, with what face can we join the Morning Chronicle in pretending to believe, that, in putting such a woman away, Napoleon has "*insulted the understanding*," and "*outraged the feelings*," of the people of France? ——It is hardly possible, but, really, upon looking over the article again, I am half afraid, that the Morning Chronicle has given a little into *cant*, upon this subject, and has made an effort to induce his readers to consider this act of Napoleon as *irreligious*. If this be his meaning, let me ask him what he thinks of the *divorce bills*, which are passed in England; and let me then ask him why a divorce bill should, in France, be any more irreligious than it is in England? Or, does he think that the thing, when prefaced by an act of adultery, is *not so irreligious* as when *not* prefaced by such an act? Let me ask him, too, as he seems to have his religious scru-

ples on board, what he thinks of the custom in America, where, at any assizes, he may hear the crier of the court, standing upon the entrance steps, proclaim, after three times ringing a bell, the dissolution of marriage between such a man and such a woman, and that, too, without any *crime* whatever having been alledged against either party to such marriage. Nay, I remember, when, a marriage having taken place contrary to the wish of the parents of the lady, she was forcibly carried home, and there kept, until an act of the Legislature, without the consent of the husband, *dissolved the marriage.*——To talk, then, with seeming horror, of the late proceeding in France is, to say the very best of it, miserably silly; and, it has, besides, this very mischievous effect, that it draws the public mind away from that view of the matter which it ought to take, and which, if it did take that view, would be preparing itself for the consequences. Instead of affecting to *laugh* at the grand political measure in question; instead of affecting (and most wretched affectation it is) to *pity* the people of France; instead of thus wasting the precious time for reflection and preparation, we ought to be well weighing the probable consequences of this grand stroke of policy.——The project, so long talked of, and such a favourite with the people of France, who, down to the street-sweepers, think that France ought to command the world; the project of Napoleon's being proclaimed EMPEROR OF THE WEST seems now to be upon the eve of being put in execution. The King of Holland resigns, and so, it is very likely, will the king of Spain. These two countries, including Portugal of course, once well subdued; once *brought to hand*, as the saying is; once rendered manageable and applicable to all the purposes of war, that war will, that war must, in all its terfors, *be levelled against these Islands.* ——This is what we should think about, and not about the *legality*, or *illegality*, of Napoleon's divorce, as if we, living, for our sins, under a government of barristers, were consulting whether we should not assail him with an information for bigamy. The divorce, especially if followed up by a marriage, which shall give fair hopes of children to the Emperor, will greatly contribute towards the establishment of the contemplated WESTERN EMPIRE. Now (start not, reader, at what I am going to say) I should not be at all surprised, if, supposing Napoleon to succeed in conquering Spain and Portugal, he were, in taking the title of EMPEROR OF THE WEST, to declare *these islands to make part of his dominions*, in as far, at least, as related to title and homage. How should we like that? I beg the reader duly to consider it. I beg him not to rely upon any thing, till he has tried its foundation. How many, and how many times, have we been disappointed in our hopes! How many times has Napoleon been upon the brink of destruction, bodily or political? Still he lives, and at the close of every succeeding year, he seems twice as great as he was at the close of the preceding one. At every *peace*, with whomsoever made, he gains something. I beseech the reader to look over the world now; and then look back to the epoch of *the peace of Amiens*. Why, there is such a change in favour of Napoleon's power; others have lost so much and he has gained so much, that one cannot, without some time spent in the endeavour, bring back one's mind to the then state of things. Well, if this progress continue; if success still attend the conqueror, and, *if we still proceed in our present course*, what does reason say, that our fate must be?—— But, are there no means of effectually providing for our safety? Are there no means, which shall enable us to say: *we defy your power?* Some there are, who recommend *peace* as the only means of saving ourselves. I have no objection to peace, in the abstract; but, I do not see how peace is at all to tend towards our safety against the power of Napoleon; how it can at all tend to rescue us from that danger, into which we have been plunged during the un-checked sway of the Pittites. Suppose, for instance, that peace were to be treated for now, is there any one, except, perhaps, Fitzgerald the pensioned poet, or some such person, who could expect, that Napoleon would permit us to say one single word about Spain, Portugal, Holland, the Hans-Towns, Denmark, Naples, or any part of Italy or Germany? Is there any man, not much more than half an idiot, who supposes, that he would treat with us about any thing but mere islands and maritime stations? Is there upon earth a wretch so devoid of sense as to believe, for one moment, that Napoleon would make *any* peace with us, except for the mere purpose of being enabled to prepare for a war, in which we should breathe our last? I do not believe there is. He

would *make a peace;* aye, would he, and *ask* for it too; for the pride of punctilio he leaves to kings who have empty noddles; but he would certainly not suffer us to interfere in the concerns of the Southern Peninsula. He would not hear a word from us upon the subject. Well, then, what should we get by such a peace? *Diminish our expences?* Yes, indeed, if we were to act upon *different principles of defence* than those we now act upon. But, supposing our present system all to continue, how should we dare to diminish our expences, either by land or sea? Napoleon, who, be it observed, is *never in any fear of us;* and here I cannot refrain from taking a look at our situation in this respect; at the dreadful odds against which we have to contend; and at the humiliating contrast which the state of England now presents when compared with her state only seventeen years ago. At that time, if any one had said; at that time, when the grand master of talk was annually making his display of the inexhaustible resources of the nation; if, at that time, any one had risen up, at the end of one of the grand master's rattling speeches, and foretold, that, under the sway, the absolute unchecked sway, of this same "heaven-born" talker and his disciples, the English nation should be in such a situation as for it to become a matter of course, that the contest, in which she should be engaged, should, on her part, be a contest for *existence*, and, on the part of France, a contest merely for *conquest;* if any one had, at the time referred to, so predicted, he would have been set down as a madman or a fool; he would have been the standing jest of all the pert tribe of "young friends," of all the swarm of punsters and parasites, by whom the grand talker was surrounded. First the grand talker made war against France, in order to keep democracy in check; next he wanted indemnity for the past and security for the future; last, his disciples and successors are making war for *our existence as a nation.* The result of the combination against France puts me in mind of what I once saw with respect to a CAT, an animal renowned for its *number of lives*, but not for more lives than the French, whom the grand talker, with the aid of D'Ivernois and others, killed more than nine times. The cat, of which I was speaking, was doomed to die, and in order to save trouble, and, at the same time, to turn his carcass to account, he was tossed into a den, containing nine or ten ferrets, who, it was supposed, by forming a grand coalition, would destroy him in a twinkling. In the morning, however, when the door of the den was opened, out bounced the cat, leaving all the ferrets dead upon the straw.——From being the assailed France quickly became the assailant; and other nations, from entertaining hopes of being able to partake in the spoils of her, have, one after another, had to supplicate her to spare them some trifle of their possessions. There remains not one nation, England excepted; in all Europe there remains not one, except England, which has not been compelled to bend the knee to France; and, can any man believe, that the ruler of France will ever, while he has life, cease to endeavour to make England also bend the knee?——Napoleon has, and will have, in case of peace *nothing to fear from us.* He will need to employ none of his resources for purposes of *defence*, while we must be always as much upon the alert, as if war were actually going on. He will, in the meanwhile, be employed in building ships and in establishing a navy, and that, too, upon a scale of which none of us seem to have formed any idea. But, let any man cast his eye over the ports and think of the maritime means, of all sorts, that Napoleon will possess; then let him look at the last "Exposé;" let him see what stupendous works are even now going on in our enemy's vast empire; let him look at the extensive preparations which are already making, all pointing to the last great object, our subjugation; and then let him say, if he can, that our danger is not most imminent; let him say, if he can, that there could possibly be, for England, any chance of *repose* in peace, unless our system undergo a change.——The peace of Amiens was never finished. Our ministers then told us, that we went to war again, *because we could not remain at peace.* How, then, should we be able, with the same system, to remain at peace when Holland and the Southern Peninsula, when all continental Europe in short, is moulded into one solid empire, under the sway of a man, capable of wielding it for our destruction?——If peace, then, brought no repose; if its dangers and alarms were as great, or greater than those of war; if it brought no sensible diminution of expense, is it to be expected, that we could long live in that state? And, is it not to be feared, that the nation, at last wearied out by the harrassing threats

of an enemy, whom it never could harrass with any alarms in return, would feel disposed to lend its neck to his yoke, having the example of all other nations to keep it in countenance?——The title of EMPEROR OF THE WEST; the bare taking of that title, would have not a little effect upon men's minds. The title would grow familiar amongst us in spite of ourselves. By little and little the desire for repose would subdue the remains of national spirit and of antipathy towards the conqueror; and, from that state, it would be but one step to submission to his sway.——Let any man take a calm and impartial view of the matter; let him consider, that it *must* be the anxious desire of Napoleon to conquer England, in which object he will have the hearts of all Frenchmen with him, and in which object, from the joint operation of shame and envy, he will have with him the hearts of all the nations he has subdued; let it be considered, that, without the conquest of this kingdom, Napoleon can never look upon his work as half finished: let any man calmly consider these things; let him consider how rapidly we have gone on from bad to worse, and that the last year of our progress, in this way, has been more rapid than any former one; and, when he has thus considered, let him say, what hope we have of safety, *unless we have recourse to means not hitherto tried.*——We have, God knows, *not been wanting in exertions.* We have made exertions enough; but, they have proved to be of the *wrong sort.* We have raised armies and fitted out fleets; but we have not made exertions enough, nor, indeed, any at all, towards arming *the hearts of the people*, and especially the people in that part of the kingdom, which, in all cases, must be most exposed to the attacks of the enemy.——I have lately described the state of Ireland; I have lately appealed to my readers, as to what the feelings and disposition of the Irish Catholics, that is, in fact, the Irish *nation*, must be; and, I need not ask what their additional feelings must be upon reading, in Napoleon's *Exposé*, his sentiments, views, and measures with regard to *religious toleration.* Upon the subject of "RELIGIOUS WORSHIP," the *Exposé* says: "The Government, in "its respect for conscience, has not de"viated from the line which it had traced "out to itself. Its principles, with re"spect to religion, have had their appli"cation, this year, as in the preceding. "It does not confine itself to the tolera"tion of all kinds of religious forms of "worship, it honours and encourages "them. The different sects of Chris"tianity, founded on the morality of the "Gospel, are all useful to society. The "Lutherans of the Fauxbourg St. Antoine, "whose number amounts to 6,000, had no "temple, and, from time immemorial, "exercised their worship in the Swedish "Chapel. Their church has been acknow"ledged; their Ministers have been ap"pointed by the Emperor, and are main"tained at the expence of the State.—A "School of Calvinistic Theology has "been established at Montauban."—— This is as much to be feared as an army of 200,000 men! This is long-sighted policy. How many thousands and hundreds of thousands of hearts will this win! Napoleon, as was observed by the Morning Chronicle, *out-bid* us in Spain; and he is here endeavouring to out-bid us at home. He neglects nothing that is calculated to advance his purposes. He leaves not a soul untempted to join him, while those who have to combat him seem as if they were afraid of having too many friends. The contest is, indeed, fearfully unequal. He sets all prejudices at defiance; while they seem to desire nothing so much as petty squabbles about what can be of no use, except it be to produce divisions, and, of course, weakness, amongst those who, if united, might mar their interested views.——We should, under the sway of the most wise, and most liberal men, have much to do, in order to enable us to obtain a fair chance of safety. A little matter would be nothing at all. The whole of the people must have *a new spirit put into them.* But, I think we should *begin with Ireland;* for, it is impossible to say *how soon* that nation may be put to the test. Upon this subject, and by way of supplement to my late articles, relative to Ireland, I shall insert, in my next Register, a letter which comes from DOCTOR MILNER, the contents of which are very interesting and important. The bare reading of this letter is sufficient to convince any man, that the measures, which it recommends, ought to be adopted without delay.——I do not think, that, amongst all the circumstances, favourable to the views of Napoleon, any one is so favourable *as the present state of Ireland.* He is, we may be assured, as well acquainted with that state as we are. He knows, to a hair, what can and what cannot be done there. He has, in his pay, persons whose

sole business it is to collect information relative to Ireland; and, in short, he has, I dare say, an Irish department of politics. It was declared in parliament, that there was a *French party* in Ireland; and, I dare say, that Napoleon did not, even then, want such information. Well, then: let us out-bid him; let us *seduce* his party from him; let us bribe them by kindness; let us purchase them with acts of liberality and justice. The time is now hastily coming, when we cannot afford to have any malcontents; our cause wants the *whole* of our people; we cannot let one half remain at home to keep down the other half. In one word, the hearts of the people of Ireland must be gained, or there is no hope of safety for England.

WM. COBBETT.

Botley, 4th Jan. 1810.

OFFICIAL PAPERS.

FRANCE.—*Address of the Legislative Body to the Emperor; and his Answer.*

Paris, Dec. 13.—Last Sunday, the Emperor and King, being on the throne, surrounded by the Princes, the Ministers, the great Officers of the Empire, the Members of the Senate, and by those of the Council of State, received, before mass, at the palace of the Thuilleries, a deputation from the Legistive Body. This deputation was conducted to the audience of his Majesty, by a Deputy Master of the Ceremonies, introduced by the Grand Master of the Ceremonies, and presented by his Serene Highness the Prince Vice Grand Elector. The deputation being admitted to the foot of the throne, spoke in the following terms, the Address which had been voted to his Majesty:

"Sire; The Legislative Body beholds you greater, every time it has the honour of approaching your Majesty's throne. Each year is for you an age of glory; each return to your capital, is a fresh triumph. When you were at a distance from France, your genius did not abandon her; it still continued to dwell in the centre of us. On the first appearance of the enemy, your people, whom you regarded, from the Banks of the Danube, have fled with precipitation in crowds to the threatened frontiers. The enemy hastened to flee away, as if you had really been present. Your last exploits, and the happy peace which has followed them, will aggrandize the territories of the Princes your allies. Important re-unions are on the eve of accomplishing the system of this vast Empire, of which they are members, and which regards you both as its head and its founder; but Cæsar, whilst he re-assumes all his power, respects those rights which are not his own. He himself points out, with wisdom, the limits of priesthood, and of the Empire. Religion will not cease to lean upon the throne which has established her, and the Successor of St. Peter will be to us dearer and more revered, by blessing the Successor of Charlemagne, in the name of the God of Peace, whose will changes the empires, but whose worship never changes. All which is attached to you, aggrandizes; all that seeks a foreign influence is threatened by an immediate fall; we must obey your ascendancy; it is at once the counsel of heroism and of politics. Sire, you said, a few days ago, that your first passion was the love of France; this word resounded in all hearts.—This day you announce that victory will not exact any fresh sacrifices; The Legislative Body thanks you for it; but, it does not fear to be contradicted by a brave and generous nation, when it replies, that nothing is impossible to Frenchmen, towards a Sovereign, who covers them with so much glory, and who has so amply requited them, by paying their sacrifices with all his love."

His Majesty replied to this Address in the following terms:—

"Gentlemen, President, and Deputies of the Legislative Body;—I accept the sentiments which you express; I know the attachment of your body to my person. France stands in need of a moderate but strong monarchy. The present epoch ought to be distinguished, not only by the glory of the French arms, but also by the prosperity of its commerce, the wisdom of its laws, and the brilliancy of arts, of sciences, of letters. I have overcome many obstacles to conduct France to its actual situation: both myself and family will be always ready to sacrifice even our dearest affections to the interests and welfare of this great nation. With the assistance of God, and the constant love of my people, I shall overcome whatever can oppose my great designs.—I wish to live still for 30 years, that I may serve 30 years more my subjects, consolidate this vast empire, and see this dear France embellished by all the prosperities which I have conceived."

Paris, Dec. 17.—His Majesty the Emperor and King set out at four o'clock, this day, for Trianon. Her Majesty the Empress Josephine is at Malmaison. (Moniteur.)

AMERICA.—*President's Message at the opening of the Session of Congress, Nov. 27.*

Fellow Citizens of the Senate, and of the House of Representatives; At the period of our last Meeting, I had the satisfaction of communicating an adjustment with one of the principal belligerent nations, highly important in itself, and still more so, as presaging a more extended accomodation. It is with deep concern I am now to inform you, that the favourable prospect has been overclouded by a refusal of the British Government to abide by the act of its Minister Plenipotentiary, and by its ensuing policy towards the United States, as seen through the communications of the Minister sent to replace him. Whatever pleas may be urged for a disvowal of engagements formed by diplomatic functionaries, in cases where, by the terms of the engagements, a mutual ratification is reserved; or where notice at the time may have been given of a departure from instructions; or in extraordinary cases, essentially violating the principles of equity, a disavowal could not have been apprehended in a case where no such notice or violation existed, where no such ratification was reserved, and more especially, where, as is now in proof, an engagement, to be executed without any such ratification, was contemplated by the instructions given, and where it had, with good faith, been carried into immediate execution on the part of the United States.—These considerations not having restrained the British Government from disavowing the arrangement, by virtue of which its Orders in Council were to be revoked, and the event authorising the renewal of commercial intercourse having thus not taken place, it necessarily became a question, of equal urgency and importance, whether the act prohibiting that intercourse was not to be considered as remaining in legal force? This question being after due deliberation, determined in the affirmative, a Proclamation to that effect was issued. It could not but happen, however, that a return to this state of things, from that which had followed an execution of the arrangement by the United States, would involve difficulties. With a view to diminish these as much as possible, the instructions from the Secretary of the Treasury, now laid before you, were transmitted to the Collectors of the several ports. If, in permitting British vessels to depart, without giving bonds not to proceed to their own ports, it should appear that the tenor of legal authority has not been strictly pursued, it is to be ascribed to the anxious desire which was felt, that no individual should be injured by so unforeseen an occurrence: and I rely on the regard of Congress for the equitable interests of our own Citizens, to adopt whatever further provisions may be found requisite for a general remission of penalties involuntarily incurred.—The recall of the disavowed Minister having been followed by the appointment of a successor, hopes were indulged that the new Minister would contribute to alleviate the disappointment which had been produced, and to remove the causes which had so long embarrassed the good understanding of the two nations. It could not be doubted, that it would at least be charged with conciliatory explanations of the step which had been taken, and with proposals to be substituted for the rejected arrangement. Reasonable and universal as this expectation was, it also has not been fulfilled. From the first official disclosures of the new Minister, it was found that he had received no authority to enter into explanations relative to either branch of the arrangement disavowed; nor any authority to substitute proposals, as to that branch, which concerned the British Orders in Council; and finally, that his proposals with respect to the other branch, the attack on the frigate Chesapeake, were founded on a presumption, repeatedly declared to be inadmissible by the United States, that the first step towards adjustment was due from them; the proposals, at the same time, omitting even a reference to the officer answerable for the murderous aggression, and asserting a claim, not less contrary to the British laws and British practice, than to the principles and obligations of the United States.—The correspondence between the department of State and this Minister will shew how inessentially the features presented in its commencement have been varied in its progress. It will shew also, that forgetting the respect due to all Governments, he did not refrain from imputations on this, which required that no further communications should be received from him. The necessity of this step will be made known to his Britannic Majesty through the Minister Plenipotentiary of the United States in London. And it would indicate a want of confidence due to a Government which so well understands and exacts what becomes foreign

Ministers near it, not to infer that the misconduct of its own representative will be viewed in the same light in which it has been regarded here. The British Government will learn, at the same time, that a ready attention will be given to communications, through any channel which may be substituted. It will be happy, if the change in this respect should be accompanied by a favourable revision of the unfriendly policy, which has been so long pursued towards the United States.—With France, the other belligerent, whose trespasses on our commercial rights have long been the subject of our just remonstances, the posture of our relations does not correspond with the measures taken on the part of the United States, to effect a favourable change. The result of the several communications made to her Government, in pursuance of the authorities vested by Congress in the executive, is contained in the correspondence of our Minister at Paris, now laid before you.—By some of the other belligerents, although professing just and amicable dispositions, injuries materially affecting our commerce have not been duly controuled or repressed. In these cases, the interpositions deemed proper on our part have not been omitted. But it well deserves the consideration of the Legislature, how far both the safety and the honour of the American flag may be consulted, by adequate provisions against that collusive prostitution of it, by individuals unworthy of the American name, which has so much favoured the real or pretended suspicions under which the honest commerce of their fellow-citizens has suffered.—In relation to the powers on the coast of Barbary, nothing has occurred which is not of a nature rather to inspire confidence than distrust, as to the continuance of the existing amity. With our Indian neighbours, the just and benevolent system continued toward them has also preserved peace, and is more and more advancing habits favourable to their civilization and happiness.—From a statement which will be made by the Secretary of War, it will be seen that the fortifications on our maritime frontier are in many of the ports completed, affording the defence which was contemplated, and that further time will be required to render complete the works in the harbour of New York, and in some other places. By the enlargement of the works, and the employment of a greater number of hands at the public armouries, the supply of small arms, of an improving quality, appears to be annually increasing, at a rate, that, with those made on private contract, may be expected to go far towards providing for the public exigency.—The Act of Congress, providing for the equipment of our vessels of war, having been fully carried into execution, I refer to the statement of the Secretary of the Navy for the information which may be proper on that subject.—To that statement is added a view of the transfers of appropriations, authorized by the Act of the Session preceding the last, and of the grounds on which the transfers were made.—Whatever may be the course of your deliberations on the subject of our military establishments, I should fail in my duty in not recommending to your serious attention the importance of giving to our militia, the great bulwark of our security, and resource of our power, an organization the best adapted to eventual situations for which the United States ought to be prepared.—The sums which had been previously accumulated in the Treasury, together with the receipts during the year ending on the 30th of Sept. last (and amounting to more than nine millions of dollars), have enabled us to fulfil all our engagements, and to defray the current expenses of Government without recurring to any loan. But the insecurity of our commerce, and the consequent diminution of the public revenue, will probably produce a deficiency in the receipts of the ensuing year, for which, and for other details, I refer to the statements which will be transmitted from the Treasury.—In the state which has been presented of our affairs with the great patties to a disastrous and protracted war, carried on in a mode equally injurious and unjust to the United States, as a neutral nation, the wisdom of the National Legislature will be again summoned to the important decision of the alternatives before them. That these will be met in a spirit worthy the councils of a nation, conscious both of its rectitude and of its rights, and careful as well of its honour as of its peace, I have an entire confidence. And that the result will be stamped by an unanimity becoming the occasion, and be supported by every portion of our citizens, with a patriotism enlightened and invigorated by experience, ought as little to be doubted.—In the midst of the wrongs and vexations experienced from external causes, there is much room for congratulation on the prosperity and happiness flowing from our

situation at home. The blessing of health has never been more universal. The fruits of the seasons, though in particular articles and districts short of their usual redundancy, are more than sufficient for our wants and our comforts. The face of our country every where presents the evidence of laudable enterprise, of extensive capital, and of durable improvement. In a cultivation of the materials, and the extension of useful manufactures, more especially, in the general application to household fabrics, we behold a rapid diminution of our dependence on foreign supplies.—Nor is it unworthy of reflection, that the revolution in our pursuits and habits is in no slight degree a consequence of those impolitic and arbitrary edicts, by which the contending nations, in endeavouring each of them to obstruct our trade with the other, have so far abridged our means of procuring the productions and manufactures, of which our own are now taking the place. —Recollecting always, that for every advantage which may contribute to distinguish our lot from that to which others are doomed by the unhappy spirit of the times, we are indebted to that Divine Providence, whose goodness has been so remarkably extended to this rising nation, it becomes us to cherish a devout gratitude, and to implore from the same omnipotent source a blessing on the consultations and measures about to be undertaken for the welfare of our beloved country.

JAMES MADISON.

Circular Letter of Mr. Jackson, dated Washington, Nov. 18, 1809.

Sir;—I have to inform you, with much regret, that the facts which it has been my duty to state, in my official correspondence with Mr. Smith, have been deemed by the President of the United States to afford a sufficient motive for breaking off an important Negociation, and for putting an end to all communication whatever with me, as the minister charged with that negociation, so interesting to both nations; and on one most material point of which an answer has not been returned to an official and written overture *.—One of the facts alluded to has been admitted by the Secretary of State himself in his letter to me of the 19th of October, viz. That the three Conditions forming the substance of Mr. Erskine's original Instruction, were submitted to him by that gentleman. The other, viz. That that Instruction is the only one in which the Conditions were prescribed to Mr. Erskine for the conclusion of an arrangement on the matter to which it related, is known to me by the Instructions which I have myself received.—In stating these facts, and in adhering to them, as my duty imperiously enjoined me to do, in order to repel the frequent charges of ill faith, which have been made against his Majesty's Government, I could not imagine that offence would be taken at it by the American Government, as most certainly none could be intended on my part; and this view of the subject has been made known to Mr. Smith. But as I am informed by him that no further communication will be received by him from me, I conceive that I have no alternative left, which is consistent with the King's dignity, but to withdraw altogether from this city, and await elsewhere the arrival of his Majesty's commands upon the unlooked for turn which has thus been given to his affairs in this country. —I mean, in the interval, to make New York the place of my residence, where you will henceforth please direct your communications to me, as I shall be accompanied by every member of his Majesty's mission. I am, with great truth and respect, Sir, your most obedient humble servant, (Signed) F. J. JACKSON.

To ——, his Majesty's Consul, at ——.

* This overture is on the affair of the Chesapeake.

AMERICAN DISPUTE.—*Correspondence, between* MR. R. SMITH, *the American Secretary of State, and* MR. F. J. JACKSON, *the English Envoy.*

MR. SMITH TO MR. JACKSON.

Department of State, Oct. 9, 1809.

SIR; An arrangement, as to the revocation of the British Orders in Council, as well as to the satisfaction required in the case of the attack on the Chesapeake frigate, has been made in due form by the Government of the United States with David Montague Erskine, Esq. an accredited Minister Plenipotentiary of his Britannic Majesty. And after it had been faithfully carried into execution on the part of this Government, and under circumstances rendering its effects on the relative situation of the United States irrevocable, and, in some respects, irreparable, his Britan-

nic Majesty has deemed it proper to disavow it, to recal his Minister, and to send another to take his place.—In such a state of things, no expectation could be more reasonable, no course of proceeding more obviously prescribed by the ordinary respect due to the disappointed party, than a prompt and explicit explanation, by the new functionary, of the grounds of the refusal on the part of his Government to abide by an arrangement so solemnly made—accompanied by a substitution of other propositions.—Under the influence of this reasonable expectation, the President has learned, with no less surprize than regret, that in your several conferences with me you have stated—1st, That you have no instructions from your Government which authorise you to make any explanations whatever to this Government, as to the reasons which had induced his Britannic Majesty to disavow the arrangement lately made by your predecessor, and that therefore you could not make any such explanations.—2nd, That in the case of the Chesapeake, your instructions only authorise you (without assigning any reason whatever why the reasonable terms of satisfaction tendered and accepted, have not been carried into effect) to communicate to this Government a note tendering satisfaction, with an understanding that such note should not be signed and delivered by you, until you should have previously seen and approved the proposed answer of this Government, and that the signing and the delivery of your note and of the answer of this Government should be simultaneous.—3rd, That you have no instructions which authorise you to make to this Government any propositions whatever in relation to the revocation of the British Orders in Council; but only to receive such as this Government may deem it proper to make to you.—4th, That, at all events, it is not the disposition or the intention of the British Government to revoke their Orders in Council, as they respect the United States; but, upon a formal stipulation on the part of the United States, to accede to the following terms and conditions, viz.—I. That the Act of Congress, commonly called the Non-intercourse Law, be continued against France, so long as she shall continue her Decrees.—II. That the Navy of Great Britain be authorised to aid in enforcing the provisions of the said Act of Congress.—III. That the United States shall explicitly renounce, during the present war, the right of carrying on any trade whatever, direct or indirect, with any colony of any enemy of Great Britain, from which they were excluded during peace; and that this renunciation must extend, not only to the trade between the colony and the mother country, but to the trade between the colony and the United States.—If, in the aforegoing representation, it should appear, that I have in any instance misapprehended your meaning, it will afford me real pleasure to be enabled to lay before the President a statement, corrected agreeably to any suggestions with which you may be pleased to favour me.—To avoid the misconceptions incident to oral proceedings, I have the honour to intimate that it is thought expedient that our further discussions, on the present occasion, be in the written form. And with great sincerity I assure you, that whatever communications you may be pleased thus to make, will be received with an anxious solicitude to find them such as may lead to a speedy removal of every existing obstacle to that mutual and lasting friendship and cordiality between the two nations, which it is obviously the interest of both to foster.

MR. JACKSON TO MR. SMITH.

Washington, 11th Oct. 1809.

Sir; I have had the honour of receiving your official letter of the 9th inst. towards the close of which you inform me, that it had been thought expedient to put an end to all verbal communications between yourself and me in discussing the important objects of my mission. Considering that a very few days have elapsed since I delivered to the President a credential letter from the King my Master, and that nothing has been even alledged to have occurred, to deprive me of the facility of access, and of the credit to which, according to immemorial usage, I am by that letter entitled, I believe there does not exist in the annals of diplomacy, a precedent for such a determination between two Ministers, who have met for the avowed purpose of terminating amicably the existing differences between their respective countries: but after mature reflection, I am induced to acquiesce in it by the recollection of the time that must necessarily elapse before I can receive his Majesty's commands upon so unexpected an occurrence, and of the detriment that would ensue to the public service, if my Ministerial functions were, in the in-

terval, to be altogether suspended. I shall therefore content myself with entering my protest against a proceeding which I can consider in no other light than as a violation, in my person, of the most essential rights of a Public Minister; when adopted, as in the present case, without any alledged misconduct on his part. As a matter of opinion, I cannot, I own, assent to the preference which you give to written over verbal intercourse for the purpose of mutual explanation and accommodation. I have thought it due to the public character with which I have the honour to be invested, and to the confidence which his Majesty has most graciously been pleased to repose in me, to state to you unreservedly my sentiments on this point. I shall now proceed to the other parts of your letter, and apply to them the best consideration that can arise from a zeal proportioned to the increase of difficulty thus thrown in the way of the restoration of a thorough good understanding between our respective countries. —You state, sir, very truly, that an arrangement had been made between you and Mr. Erskine, and that his Majesty had thought proper to disavow the agreement —I have here in the outset to regret the loss of the advantage of verbal intercourse with you, as I should have availed myself of it to inquire whether by your statement, it were your intention to complain of the disavowal itself, or of a total want of explanation of it, or of the circumstance of that explanation not having been made through me. I observe, that in the records of this mission there is no trace of a complaint, on the part of the United States, of his Majesty having disavowed the act of his Minister. You have not, in the conferences we have hitherto held, distinctly announced any such complaint, and I have seen with pleasure, in this forbearance on your part, an instance of that candour, which, I doubt not, will prevail in all our communications, inasmuch as you could not but have thought it unreasonable to complain of the disavowal of an act, done under such circumstances, as could only lead to the consequences that have actually followed.—It was not known when I left England, whether Mr. Erskine had, according to the liberty allowed him, communicated to you *in extenso* his original instructions. It now appears that he did not. But, in reverting to his official correspondence, and particularly to a dispatch addressed, on the 20th April, to his Majesty's Secretary of State for Foreign Affairs, I find that he there states, that he had submitted to your consideration, the three conditions specified in those instructions, as the ground-work of an arrangement which, according to information received from this country, it was thought in England might be made, with a prospect of great mutual advantage. Mr. Erskine then reports *verbatim et seriatim* your observations upon each of the three conditions, and the reasons which induced you to think that others might be substituted in lieu of them. It may have been concluded between you that these latter were an equivalent for the original conditions; but the very act of substitution evidently shows that those original conditions were, in fact, very explicitly communicated to you, and by you, of course, laid before the President for his consideration. I need hardly add, that the difference between these conditions and those contained in the arrangements of the 18th and 19th of April, is sufficiently obvious to require no elucidation: nor need I draw the conclusion, which I consider as admitted by all absence of complaint, on the part of the American Government, viz. that under such circumstances, his Majesty had an undoubted and incontrovertible right to disavow the act of his Minister. I must here allude to a supposition, which you have more than once mentioned to me, and by which, if it had any, the slightest foundation, this right might perhaps have been in some degree affected. You have informed me that you understood that Mr. Erskine had two sets of instructions, by which to regulate his conduct; and that upon one of them, which had not been communicated either to you or to the public, was to be rested the justification of the terms finally agreed upon between you and him. It is my duty, Sir, solemnly to declare to you, and, through you, to the President, that the dispatch from Mr. Canning to Mr. Erskine, which you have made the basis of an official correspondence with the latter Minister, and which was read by the former to the American Minister in London, is the only dispatch, by which the conditions were prescribed to Mr. Erskine for the conclusion of an arrangement with this country on the matter to which it relates.—To return to the immediate subject of your letter. If, Sir, it be your intention to state, that no explanation whatever has been given to

ply prohibited altogether. No option is afforded, and consequently no transit duty is required to be paid. In another respect the Order in Council of the 26th April must be admitted to be more restrictive than those of November 1807.—The trade with enemies colonies, which was opened to neutrals at the commencement of the present war by the Order in Council of the 24th June 1803, was continued to be left open by those of November 1807. The Order in Council of the 26th of April retracts this indulgence. But it is to be observed, that, since the period, when the Orders in Council of November 1807 were issued, the opening of the ports of Spain, of Portugal, of the South of Italy, and of Turkey, has afforded a more ample scope to neutral commerce, and that by the capture of Martinique, in addition to that of almost all the colonies of the enemies of Great Britain, together with the blockade of Guadaloupe, the extent to which the liberty of commerce with the enemies colonies applied has been so far narrowed, that there is little of practical hardship in recurring to the rule, which however occasionally mitigated in its application, Great Britain can never cease in principle to maintain. It is further to be observed, that the Order in Council of the 26th April has this operation highly favourable to neutrals, that restricting the regulations of blockade, to France, Holland, and their colonies, and to the territories denominated the kingdom of Italy, it lays open to the direct trade of neutrals the ports of the north of Europe. Under the Order of the 26th April, therefore, while there are on the one hand fewer points of difference to stand in the way of a satisfactory arrangement between Great Britain and the United States, it is possible that there may be less temptation to the latter to enter into such an arrangement, as the extent of their commerce may be, if they please, nearly as great under the Order in Council of the 26th April, as it would be under any arrangement which should effect the indispensable objects to which that Order applies, or as it would be even without any such Order, so long as France, and the Powers subservient to France, continue to enforce their Decrees. It is, in the same proportion, matter of indifference to Great Britain, whether the Order in Council be continued, or an arrangement by mutual consent substituted in its room.—Such, Sir, are the grounds on which it has appeared to his Majesty to be unnecessary to command me to propose to the Government of the United States any formal agreement to be substituted for that which his Majesty has been under the necessity of disavowing; but I am directed to receive and discuss with you any proposal which you may be authorised to make to me on this head.—As no disposition has hitherto been shown on your part to make any such proposal, it has been impossible for me to state by anticipation, (nor was I instructed so to do) what might be the answer that I should eventually think it my duty to return to you, consequently I could not have made with that view the statement contained in the 4th section of your letter, and the three subdivisions of it. Such a statement would have been obviously inconsistent with the former part of my overture, which you very correctly record in the 3d section, viz. that I was not instructed to make to you any proposal whatever upon this subject. I must necessarily reserve, until I hear from you what proposals it may be deemed proper to make on behalf of the United States, to state in how far they do or do not accord with the instructions which it has pleased his Majesty to give me for my guidance in this negociation.—I will only add, Sir, in conclusion of this letter, that his Majesty is very desirous of maintaining a perfect and cordial understanding with the United States, and of bringing to a complete and satisfactory adjustment, all the points of difference that have arisen between the two Governments; and that, agreeing as I do with you, most heartily, as to the interest which both nations have in fostering a mutual and solid friendship and cordiality, no zeal or exertions shall be wanting on my part to carry into effect his Majesty's commands for this most salutary purpose.—I have the honour to be, with great respect, Sir, your most obedient humble Servant.

MR. SMITH TO MR. JACKSON.

Department of State, Oct. 19, 1809.

Sir—I have had the honour of receiving your letter of the 11th inst. Before I proceed to the more material topics which it embraces, it is proper that I should take some notice of your construction, which has unhappily converted an intimation of the expediency of conducting in a written form our further discussions on this particular occasion, into a general prohibition of all verbal communications whatever, and into an unprecedented violation of the

most essential rights of a public Minister, requiring a formal protest and a resort to the commands of your Sovereign.—A recurrence to that intimation cannot fail to show that its sole object was to avoid, in the further discussions of a case of unusual delicacy and importance, the misconceptions well known to be incident to oral proceedings, and of which the diplomatic intercourse between the two Governments had furnished so many and such serious proofs, nay of which your letter itself is additional illustration. That a change in diplomatic discussions from an oral to a written form, is not without precedent, I cannot refer to one which will be more satisfactory to you than the intimation recently given by Mr. Canning, in the case of the proposal by Mr. Pinckney on the subject of the Orders in Council and the Embargo, that the discussions which had been previously verbal, must thenceforth take a written form. And with this view I take the liberty of recalling your attention to the subjoined extracts (See A. and B.) of letters that passed on that occasion. —On the present, as on that occasion, the change from verbal to written communications was requested after two conferences, and when the subject appeared to one of the parties to have, by those verbal discussions, been brought to a point, which required a precise understanding of the views and propositions of the other.—You will, Sir, hence perceive, that in maintaining the right, which every Government has as to the rules of intercourse with foreign functionaries near it, no encroachment has been made or intended on any right or customary privilege belonging to you in that character, nor any thing done to impede the proper and usual course of negociation.—You have been sufficiently apprised, by my letter of the 9th, of the light in which the President views the arrangement lately made by your predecessor with this Government, and of the grounds on which he has expected a formal and satisfactory explanations of the reasons for the refusal of his Britannic Majesty to carry it into effect. He persists in that expectation, and in the opinion, that there has been given no explanation that is adequate, either as to the matter or as to the mode.—When one Government has been solemnly pledged to another in a mutual engagement by its acknowledged and competent agent, and refuses to fulfil the pledge, it is perfectly clear that it owes it, both to itself and to the other party, to accompany its refusal with a formal and frank disclosure of sufficient reasons for a step, which, without such reasons, must deeply injure its own character, as well as the rights of the party confiding in its good faith.—To refuse, with honour (says a high authority on public law), to ratify what has been concluded on by virtue of a full power, it is necessary that the Government should have strong and solid reasons, and that he show in particular that his Minister has violated his instructions.—Although it is particularly incumbent on the Sovereign in such case to show that his instructions have been violated, yet it is not a mere violation of them on immaterial points that will be sufficient. It is indispensably requisite, moreover, that the reasons be strong and solid; that they manifestly outweigh not only the general obligation to abide by what has been so done, but also the disappointment and injury accruing to the other party. And it is worthy of notice, that the case under discussion is of a higher character, and appeals with greater solemnity to the honour and justice of the refusing party, than the case stated in Vattel, inasmuch as the transaction, now disavowed, was not a treaty or convention to be ratified by both parties, previous to an execution by either. It had, according to the terms of it (and this peculiarity appears to have been contemplated by your Government), been actually and immediately carried into execution on the part of America. The refusal of his Britannic Majesty is, therefore, not simply to ratify what had been ratified by the other party, but to carry into effect on his part, an arrangement which had been carried into full effect with good faith on the part of the United States. Now the case is strengthened by the further peculiarity, that some of the circumstances attending the execution of the arrangement on the part of the United States render it unsusceptible of a full equivalent for the refusal to execute it on the other side.—It has not escaped observation, that the obligation of your Government to tender explanations on this occasion is admitted by your attempt to show that it has been sufficiently done in what passed in conversation between Mr. Canning and Mr. Pinckney, and by the instructions given to Mr. Erskine to communicate such explanations. With every disposition to view in the most favourable light whatever may effect the relations between the two

countries, it is impossible to mistake the conversations of those Ministers for a discharge of such a debt to the good faith and reasonable expectations of the United States. Besides that they were mere conversations in a case requiring the precision and respect of a formal communication, it is certain that it was neither understood by Mr. Pinckney, nor intended by Mr. Canning, that those conversations were to be regarded. Mr. Pinckney is explicit on this point; and Mr. Canning himself, after declining to recapitulate in writing what he had verbally remarked, signified to Mr. Pinckney, in a letter dated May 27, that his observations on the subject would be more properly made through the successor of Mr. Erskine, who was about to proceed to the United States.—With respect to the instructions on this point, given to Mr. Erskine, it might be sufficient to remark, that they were never carried into execution; but it may be asked, whether it was a mark of friendly respect to the United States to employ for such a purpose a Minister with whom his Government had thought proper publicly to withdraw its confidence, and to the peculiar delicacy and embarrassment of whose situation you have yourself referred, as accounting for his not having executed the task imposed upon him.—I must here repeat, what was suggested in my former letter, that the successor of Mr. Erskine is the proper functionary for a proper explanation. Nor can I perceive the force of your remark, that the delay incident to your arrival in the United States rendered it more consistent with the friendly sentiments of his Majesty to press the other channels for communicating the motives for his disavowal. To your own re-consideration I appeal, which in the course most consonant to those friendly sentiments, was not the obvious one of employing the new organ, guarding at the same time against any misconstruction of the delay, by apprizing the American Government, through its Minister, of the cause of it. The supposition that the delay incident to your mission gave rise to the conversation of Mr. Canning and Mr. Pinckney, is not reconcileable to the correspondence of the latter, which contains no such indication. On the contrary, it distinctly shows that he was apprised of the intention to replace Mr. Erskine by a successor, whom he regarded as the proper channel for the explanatory communications, that he understood Mr. Canning to be under the same impression, and that he learned from yourself, not more than two days after his conversation with Mr. Canning, that you were to sail for the United States within three weeks.—Although it may not have been your intention to have given to this subject a posture which it would not have naturally assumed, yet such has been the tendency of some of your remarks, and particularly of the conclusion you have drawn from the two circumstances; 1st, That no trace of complaint from this Government against the disavowal appears on the records of the British mission, or was distinctly announced by me in our conferences, and 2nd, that from the official correspondence of Mr. Erskine with his Government, it appears that although he did not communicate *in extenso* his original instructions, he submitted to me the three conditions therein specified and received my observations on each.—If there be no trace of complaint against the disavowal in the archives of the mission, it is because this Government could not have entered such complaint before the reasons for the disavowal had been explained, and especially as the explanations were justly and confidently expected through the new functionary. And as to the supposed reserve on my part, on this subject in our several conferences, I did imagine, that my repeated intimations to you of the necessity of satisfactory explanations, as to the disavowal, were sufficient indications of the dissatisfaction of this Government with respect in the disavowal itself.—The stress you have laid on what you have been pleased to state as the substitution of the terms finally agreed on, for the terms first proposed, has excited no small degree of surprise. Certain it is, that your predecessor did present for my consideration the three conditions which now appear in the printed document; that he was disposed to urge them more than the nature of two of them (both palpably inadmissible, and one more than merely inadmissible) could permit, and that on finding his first proposals unsuccessful, the more reasonable terms comprised in the arrangement respecting the Orders in Council were adopted. And what, Sir, is there in this to countenance the conclusion you have drawn in favour of the right of his Britannic Majesty to disavow the proceeding?

(To be continued.)

LONDON:—Printed by T. C. HANSARD, Peterborough-Court, Fleet-Street;
Published by R. BAGSHAW, Brydges-Street, Covent-Garden:—Sold also by J. BUDD, Pall-Mall.

COBBETT'S WEEKLY POLITICAL REGISTER.

Vol. XVII. No. 2.] LONDON, SATURDAY, JANUARY 13, 1810. [Price 1s.

SUMMARY OF POLITICS.

JACOBIN GUINEAS.——The depreciation of the paper-money, made in Threadneedle Street and in various other parts of the country, is a thing still denied by some persons, though it is notorious, that almost the whole of the metallic money has fled from the degrading society of that paper, and though it is not less notorious, that any piece of metallic money will sell for more in paper-money, than its nominal amount.——The fact of an existing traffic in guineas and other pieces of gold coin could not be doubted; but, in the following paragraph, taken from the Statesman of the 2nd instant, we have something like judicial proof of it. This proof is not, however, what interests me upon this occasion. I am interested in the fate of the man, who is here said to have been "*fully committed* to take his trial," as a *felon*, for having sold some guineas at more than twenty-one shillings each.——"On Saturday, at the Mansion House, a Jew, of "the name of DE YOUNGE, was charged by "the *Solicitor of the Mint*, under an act of "*Queen Elizabeth*, with the offence of selling the current coin of the realm, called "guineas, *at a higher price than the current value*. By the statute in question, it is "declared, that any person who shall "extort, demand, or receive, for any of "the current coin of the realm, more "than the legal current value thereof, "shall be esteemed guilty of *felony*. It "appeared that the prisoner had sold 56 "guineas, for a sum amounting to about "22*s.* 6*d.* each, or 1*s.* 6*d.* for each "guinea more than the legal price and "current value. Evidence being adduced "to prove this case, the prisoner was "*fully committed* to take his trial for the offence."——I am persuaded, that there must be some error in this statement; but, it is not likely that it is *wholly* unfounded; and, if it be true only to the extent of a man's having been *committed to jail* for having sold guineas at a price above twenty one shillings each; if it be true only to this extent, it is of very serious importance; and, if we are in danger of being sent to jail for making as much as we can of a guinea, it really is high time for us to look about us pretty sharply, or, which would be the safer way, perhaps, to draw ourselves into our shells, there wait the coming of the storm, and let it rage on. What! send a man to jail, under a charge of *felony*, for having made an exchange of guineas against bank-notes, and taken the profit? It never can be. I certainly do not believe this. Robespierre put people in prison, and some he put to death, because they made a difference in their prices, taking less, for the same weight of sugar for instance, in metallic money than they took in paper-money; and this, in effect, is just the same thing as selling guineas for more than their nominal value. Robespierre made it a capital offence to shew this preference for metallic money; but Robespierre did not, by that means, prevent the paper from depreciating, though he was quite successful in driving the very semblance of metallic money out of the country; and, if I could possibly believe the above statement to be correct, I should have not the least hesitation in predicting, that the Old Lady in Threadneedle Street and her numerous family all over the kingdom, must very soon give us paper-money down to half-crowns, if not to half-pence. The Old Lady has always found abundant business for JACK KETCH; but, if the paragraph above-cited be correct, Mr. KETCH might set up his carriage and have his villa as well as the best of them.——But, it is hardly possible, that the paragraph can be correct; for, there is no such act of parliament as the one described in the paragraph. There is an act of Edward VI. and one of William III. against *exchanging gold and silver money for more than their value*; but, for these offences the penalty is trifling; a small pecuniary punishment merely. There is an act of Queen Elizabeth, to be sure, touching money; but, unless by a straining of the meaning, unequalled in the annals of law, it is quite out of the question to make this act apply to the case before us.——It is the act, Chapter I. of the 18th year of that Queen's reign. In the 5th year of her reign, an act had been passed, making *treason* (not *felony*) "the

"offences of *clipping, rounding, washing,* "and *filing,* for wicked lucre or gain's "sake," any of the Monies or Coins of the Realm, or of the Monies or Coins of other countries, suffered to be current in the kingdom; in short, of any of the monies or coins legally current. In the 18th year of her reign, it being found, that some other method, or methods, not coming strictly under either of the descriptions in the former act; namely, of *clipping, rounding, washing,* or *filing,* had been discovered for diminishing the value of the current coins, another act was passed, leaving out the words *clipping, rounding, washing,* and *filing,* and inserting in their stead, the following general description: "*any act, ways,* or *means,* "whatsoever;" and then the prohibition ran thus: "Be it enacted, &c.—That, "if any person, &c. &c.—shall, for wicked "lucre or gain's sake, by any act, ways, or "means whatsoever, *impair, diminish,* fal-"sify, scale, or lighten, the *monies,* or "coins, of this realm, &c. &c. &c. he shall "suffer *death,* &c. &c."—Now, except one other act, passed in the 14th year of Queen Elizabeth, against counterfeiting foreign coin, the two acts above-mentioned, are the only acts, at all relating to money, that were passed in the reign of that Queen; so that, if it be true, that the Jew in question has really been committed under an act of Elizabeth, the ground of commitment must have been different from that stated in the paragraph.——This act of the 18th of Queen Elizabeth makes it High treason to *impair* or *diminish,* by any act, ways, or means, the *monies,* or coins, of the kingdom. Well, then; let us see how this could possibly be twisted to apply to the act alledged against the Jew. Are Bank-notes *monies?* Because, if they are, to sell a guinea for twenty two shillings and sixpence of the said monies is certainly *one way* of *impairing* or *diminishing,* the said *monies,* or the value of them, atleast.——But, then, what will become of the *country bankers,* who now exceed in numbers (counting all the partners, both pikes and gudgeons) the trampers employed in collecting the rags of which their money is made. You would send them all on board of ship, perhaps, or give them an opportunity of displaying their loyalty by enlisting into the West India Regiment. Aye; but, if the above paragraph be correct; if a man has actually been committed, as a felon, for having done an act tending to *impair* the *bank-notes,* the country-bankers cannot hope to get off so lightly, seeing that they are notoriously guilty of an act of this sort as often as they set their money mills a-going. However men may differ as to other points respecting the banking system, they all agree, that the greater the quantity of paper-money the less must be the *real* value, in proportion to the *nominal* value, of that money: in other words, that the paper monies which were in circulation yesterday, must have their value *diminished* by any grist of fresh ground monies put into circulation to-day. This is a proposition universally admitted. Indeed, it is almost self-evident. Hence it is, that the Old Lady in Threadneedle Street, is continually complaining of her progeny, the country money-mills and shops, while every man, who views the matter in its true light, and who has the good of his country at heart, must sincerely rejoice at the rapid increase of those mills and shops; and, for my own part, I am convinced, that the time is not far distant, when we shall see the paper-money shops exceed in number the shops of the taylors and barbers united. "Ici l'on a des As-"signats, dès cent francs jusqu' à un "sous;" that is to say: "Paper-money "to dispose of here from a hundred francs "to a single half-penny." I remember seeing these words over a shop-door at Calais, in 1792; and, indeed, notifications, of this sort, were, in all the sea-port towns, or towns near the coast, as common as the notifications relative to "good wine" or "good brandy;" and the makers and venders of paper-money seemed sometimes to have been so hard-pushed as to have coined up the very shirts off their backs. Well! where was the harm of this? Their shirts, poor devils, made very good money. At last, indeed, you were obliged to give a hundred pounds, for a quartern loaf, or for a couple of rabbits; but, then, the shoemaker took care to sell his shoes at five or six hundred pounds a-pair; so that, in the end, those who had sense enough *to keep possession of things of real value,* and merely to let the paper-money pass *through* their hands, sustained no loss, at the bursting of the bubble. ——To return from this digression: can any one imagine, that, upon the above-quoted statute of Elizabeth, our country money-makers are all liable to be *tried for their lives?* Yet, I scruple not to assert, that if, *upon the statute of Elizabeth,* a man be liable to be tried for his life for having

sold guineas at a rate which tends to diminish the value of the paper-money, every paper-money maker in the country is liable to be tried for his life.——Let, me, however, distinctly state, that it appears to me, that there *must* be an error in the paragraph quoted from the Statesman; because, all other reasons aside, the paragraph talks of *felony*, whereas the *statute* talks of *treason!* Mercy on us, if this were law, and if the law were put in force against all the money-makers in the country, why, the very air would be poisoned with the stink of their carcasses! ——I regard these money-grinders as a very useful description of persons; they are, in reality, doing more good than any other description of persons that I know of; they make little noise in their work, but their operations are sure; every inch they gain is held; there is no back-sliding in the progress of their efforts; and, which is not the least amiable circumstance, they not only appear to be, but, in general, really are, wholly unconscious of the great good they are doing.——What, then! would the STATESMAN, who is, generally, so just in his sentiments, condemn all this most populous and most useful class of active citizens to a trial for their lives? Forbid it justice! forbid it gratitude! He is labouring very hard, and very earnestly, in the cause of a reform of abuses and the extirpation of corruption; but, he is not labouring with half so much *effect* as they are. He is attacking the monster in front, while they, more wise than he, are labouring, and with a certainty of success, to take from that monster the very meat he feeds on.——I should like to see, in the Statesman, an explanation of the above-quoted paragraph. It must be, in its description of the law, at least, erroneous; and I am quite at a loss to discover upon what law a commitment *for selling of guineas* could possibly take place, unless, indeed, the guineas were sold, or exchanged, for other *coin;* and then, as was before observed, the crime is not *felony*, but simply an offence, punishable by a pecuniary forfeiture.——If there be, however, contrary to my opinion and my conviction, any statute, upon which a man may be punished, in any way whatever, for taking a premium upon guineas, or gold or silver coin, when exchanged against paper-money; if there be any such statute, and if such statute be put in force, it requires but a very small portion of understanding to perceive, that coin of every sort must very shortly totally vanish out of circulation; for, the very fact, that such exchanges do take place, is a clear proof that the coin is worth more than its nominal value in paper-money; and, as *every thing will have its real worth*, the coin will either go into a hoard, or out of the country, if it be prohibited from obtaining its real worth in circulation. A guinea may be in the hands of a man, who may be unable to hoard, or to export, it; but, when out of that man's hands, it will not travel far. Probably the second or third person; into whose possession it may fall, may, from similar causes, be unable to hoard or export; but, the guinea is the last thing that the holder will part with; its progress from hand to hand thus becomes very slow; and the moment it comes into the hands of one who is able to hoard or export, away it goes from circulation entirely, because, if to sell it for its worth be a crime, it will *answer the holder's purposes* to hoard it, even if exportation were rendered impossible, seeing that at the rate of 1 *s.* 6 *d.* upon the guinea, the hoarder has nearly a year and a half's interest, at five per cent; and during that year and a-half, what are not the chances, that the guinea will become worth twice as much as it is worth now? ——Oh, no! There is no way now left of keeping the gold coin, still remaining in the country, from totally disappearing; no way but that of leaving every holder of such coin to sell it at any price that he can get for it.——The country paper-money makers have, within the last two years only, *doubled* their number. The next year will, in all probability, double the present number. It will, at least, greatly augment it. There can be no doubt of that. Consequently, their money will continue to depreciate in an increased proportion. The depreciation must go on with an accelerated velocity. Oh! these paper-money makers are the men! What an abundance of money we shall have! Every man, of any substance, will make his own money. What a *rich* nation we shall be! There was a man, belonging to the Mother Shop, who, some years ago, wrote a pamphlet, entitled: "GUINEAS AN ENCUMBRANCE." Ought we not, then, to rejoice at our present situation, and our present more brilliant prospects? Of this encumbrance, at any rate, we are nearly rid; and, who knows but it may be followed by that of the "*National Debt*," as it is called?——When

I see a new paper-money mill set a-going, I hail the event as an additional sign of approaching good times; and, amongst all the absurd and ridiculous things that I have ever heard of, the *preference*, which some people appear to entertain for the manufactures of certain mills, appears to me to be the most absurd and ridiculous. What signifies it what mill the money comes from? What signifies it what it is made of, or whose name is upon it, so that it will pass out of your hand as soon as it comes into it? No man is, I suppose, foolish enough ever to suffer it to remain with him twenty four hours; and, that being the case, what *risk* does he run? Success, then, say I, to the money-making trade! I do not mean figuratively, but literally. The trade of making money; the mechanical operation of making money, and the vending of that money; a trade, which is regularly working on towards all those effects, which every real friend of his country wishes to see produced, and which may yet make England what she formerly was in the scale of nations.

NAPOLEON'S PROJECTS.—Under this head, in my last Number, I quoted a passage from the Morning Chronicle, in which paper Napoleon's Divorce had been spoken of as *a farce*, as an *insult* to the people of France, as *hypocritical*, and as *irreligious*. Upon this I observed, that it was no farce; that there was no sham in it; that it was a real divorce, and for a great practical purpose. I also said, and, I should think, proved, that, so far from being an insult to the French nation, that nation must necessarily feel itself flattered by the act. I said, that it could not, with propriety, be called hypocritical, seeing that not only was it done in the face of the world, but the motives were openly avowed and set forth, and that it was impossible not to believe, that the motives so set forth were the true motives. Upon the charge of *irreligion*, I expressed my fear, that the Morning Chronicle had given a little into *cant*, and, having referred to the practice of obtaining divorces in England and America, I asked, *why* a divorce bill might not also be obtained in France.—As to the first three heads, the *farce*, the *insult* and the *hypocrisy*, the Morning Chronicle has made no reply; but, with respect to the *irreligiousness* of the act, he appears still to hold out, and complains, in the following manner, of having been accused of canting.—"MR. COBBETT accuses "The Morning Chronicle of canting, be- "cause it termed the disgusting verbiage "with which the divorce of BUONAPARTE "from his Wife, was accompanied, a "Solemn Mockery of a *spiritual rite*. It "surely is not canting to *respect the sacred* "*institutions of religion;* or to say, that "when a despot means to act in defiance "of its most solemn ordinances, it is con- "temptible to see him exhibit the farce of "whining respect for that which he is at "the moment grossly violating. There is "a paper on the subject, in the Examiner "of yesterday, written with the peculiar "spirit of the Editor of that Journal, "which shews, that in all ages, and in all "countries, divorce has been treated ac- "cording to the customs of the time and "place. It is no more applicable to the "question, to state a parallel between the "manner of divorce in America, and the "manner of divorce under the present "constitution of France, than it would be "to state a parallel between the age of "Reason in that country, when the most "perfect contempt for all religious forms "was the order of the day, and the age "of Pontifical authority, when even the "Kings were forced to submit to the papal "bull, and the sacramental bond of mar- "riage could only be dissolved by the "Vatican. What we alluded to, was the "respect which every crowned head ought "to pay to the institutions which conduce "to the religion, the morals, and the hap- "piness of his people. And as canting is "in every instance a vicious and hurtful "exhibition of hypocrisy, so it is most "vicious and most hurtful when it is prac- "tised in the highest place.—When Mr. "Cobbett asks us what we think of the "facility of divorce in England, though "it is foreign to the subject, we have no "hesitation in saying that we consider it "as a great national calamity; and think "it no more a cure for the evil it pro- "fesses to have in view, than we consider "a sum of damages to be a compensation "to any man of honour or delicacy for "the loss of the *sweetest consolations of* "*life*."—Now, I cannot see, that this much mends the matter. To talk of "a "*spiritual* rite" as something by which Buonaparté is to be bound, is quite ridiculous, when we recollect that, in speaking of him, all idea of a man of religious sentiment has been thrown aside. We represent him as having *no religion at all;* in that way it has been the constant practice to speak of him, in this country; but,

behold, now, all of a sudden, we are to inveigh against him for not being *a strict Catholic!* The truth is, we hate him; we hate him with good reason, as being a dangerous enemy; and, therefore, we seek to discover wickedness in *all* his actions; else, I am certain, that we should not have discovered any wickedness in his divorce. —— The Morning Chronicle seems to think, that there would have been less harm in the thing; or, indeed, that it would have been perfectly right, if Napoleon had complied with the *forms of the religion* that he professes; that is to say, if he had obtained the leave of the Pope to put away his old lady and take a new one. What nonsense this is! Just as if we should not, in that case, have set up a howl of pity for the poor Pope, who, we should have said, was compelled to consent to the divorce; and, in that case, we should, with good reason, have accused the Emperor with hypocrisy.—— The Morning Chronicle is a little puzzled with my reference to *our* divorce bills, and the manner of obtaining divorces in America. He says, indeed, that he considers the facility of obtaining a divorce, in England, as "a "great national calamity;" but, he says nothing at all about America, except, that her *laws* and *customs* are not the same as the laws and the customs in France. The municipal, the political, and the ecclesiastical laws are not the same; but, as far as any of these interfered with Napoleon's divorce, they were set aside by the *Legislature* of France; and, I am sure Mr. Perry will not pretend, that the acts of that Legislature ought to pass for nothing, merely because it is a body in which the Emperor *is always sure to have a majority on his side.* Oh, no! Mr. Perry will not pretend, that the acts of the French Corps Legislatif are a bit the less binding for being passed by a set of men, who *always* are in a majority on the side of the crown, let who will be minister. No, no, sure! The acts of the Corps Legislatif are mighty good acts; quite sufficient for taxing and hanging; and, why should they not be sufficient to enable a man to put away his wife?—— As far, therefore, as mere *law* is concerned, there can be no fault in the proceeding, unless we boldly assert, that acts passed by an assembly, *a majority of whom are always at the nod of the crown,* are not lawful acts; and this, I take it, is what we shall think of a great many times, before we shall openly assert it once. Well, then, the divorce being *according to law,* what is there irreligious in it, *any more* than in a divorce in America? The laws of man are not the same in the two countries; but the *laws of nature* and *of morality* are the same, and must eternally be the same. Therefore, unless we are ready to condemn, as most impiously wicked, the divorce laws of America, how is it possible for us to condemn, as impious, this act of Napoleon?——I dissent from the opinion of Mr. Perry respecting the facility of obtaining divorces in England. I think, on the contrary, that the facility ought to be greater; and, I am convinced, that much of the misery, which is entailed upon so many families, in England, from adultrous intercourse, would be prevented, if, in order to obtain a divorce, it was not necessary that one of the parties should be previously convicted of criminal conversation.—— "A *spiritual* rite," indeed! Why, much more, I imagine, than one half of the pairs in the United States of America have been married, or paired, if you will, by the *Justices of the Peace,* upon paying a nine-penny fee. When a couple take it into their heads to get married, they go away and call some hedge 'Squire out of his fields, and, in five minutes, he settles the matter, takes their nine-pence, and sends them off to keep their wedding. Now, there is not much of the "*spiritual*" in this, I take it; and, yet, I believe, that the Morning Chronicle would find it very difficult to show, that this mode of marrying is not full as conformable with *divine* authority as any other mode that has been, or is, in practice. The truth is, that the laws relating to marriage, all the laws, were made by *man;* and, though it is very proper to conform to them, and, in some instances, disgraceful not to do so, the act of marrying may take almost any epithet rather than that of "*spiritual.*"——Upon the whole, therefore, I see no reason whatever to alter my opinion relative to the Divorce of the French Emperor, and I am quite impatient to see our writers cavilling at the *immorality* of this act, while they seem blind to, or, least, unmoved by, its probable *political consequences.*

AMERICAN DISPUTE.——When will this have an end? Why, distant as the connection may seem, it will, in my opinion, never end, as long as the money of the Old Lady in Threadneedle Street continues to circulate.——The eldest of my children was unborn, when this dispute began; and, if I could suppose, that the Old Lady's money would last many years,

I should not be without hopes of being a great-grand-father before the dispute would end.——During the existence of this dispute, we have employed SIX ENVOYS, with all their retinues; and, permanently, THREE and sometimes FIVE COMMISSIONERS. ——The expence has been enormous (I will, one of these days, lay the amount before the public;) it continues to be enormous; and, which is the greatest curse of all, there have been volumes innumerable written upon the subject. There have been, including both sides, not less than from six to ten able bodied writers, and (what makes the thing more serious) most of them *lawyers*, too, hard at work for the last *sixteen years*. Mercy on us! what bales, what waggon-loads of tautology! Reader, would you not rather be hanged at once, than be doomed to the perusal of the correspondence, relating to this never dying dispute.——I began, in my last NUMBER, inserting the correspondence between MR. JACKSON and MR. SMITH; but, really, it appears, taking in its references, to have no end. They have, amongst them, written, upon this *new branch* of the dispute, as much as is contained in one of the volumes of DR. JOHNSON'S Works; a twelfth part of as much as DR. JOHNSON wrote in his whole life time! And, what is it about? You read for half an hour, before you come to an *idea;* and, when you have read the whole letter out, you cannot for your life tell what is, or what is not, the subject matter of it. This correspondence might be very useful to a man who was courting, and who was anxious to try, beforehand, the patience of his wife; for, if she could keep her temper to the end of this correspondence, he need never be afraid of her losing it.——But, the calamity might, perhaps, be bearable, were it to stop at the point it has now reached. This however, will not be the case. The matter will be *discussed in parliament.* Nights and nights will be wasted upon it. Papers! papers! papers! about America will be called for. Motion upon motion will be made. We shall have the solemn quibbling, the puerile trash, which we have now laid before us, served up again and again, in all manner of forms. The bare printing expences, attending this branch only of the dispute, will, I dare say, come to many hundreds of pounds in paper-money.——Since I wrote the last sentence, I have been debating with myself, whether I ought, at once, to declare, that I never will again cram up my columns with matter relating to this dispute; whether I ought now to leave it totally out, as being unworthy of notice; or, whether I ought, *for this once*, to state, in a few words, what has happened since I last made any observations upon the subject. My own taste and bent are decidedly for the former; but, as some of my readers may wish to know a little of the matter, and, at the same time, may wisely resolve not to waste their time upon reading the correspondence, I think it may be as well, for this one time, to lay before them the substance of it; to pick the "two grains "of wheat out of this bushel of chaff." But, this must be postponed to my next number; matter of much more importance presents itself, with claim irresistible to all the space that I have left.

LONDON COMMON HALL.——In page 983 of the foregoing volume of the Register, will be found the Address and Petition of the Common Council, and the King's Answer thereunto.——A few days after that Address and Petition was agreed to, another was agreed to by the Livery in Common Hall assembled. This paper the Lord Mayor and Sheriffs pledged themselves to deliver *to the king in person*, unless they were positively refused that honour, an honour to which they held the City to be entitled.——They were refused; and, on Tuesday last, the 9th instant, a Common Hall was assembled to receive their Report, relative to the business.——The Report of the Lord Mayor and Sheriffs was, in substance, as follows:

SHERIFF'S REPORT.

"That in consequence of the Resolution of the Common Hall of the 14th ult. ordering the Petition to be presented by the Lord Mayor and Sheriffs, the City Remembrancer had waited upon the Secretary of State, to know when it would be his Majesty's pleasure to receive the Petition, stating a wish at the same time "to be allowed to present it at the next Levee. The Secretary said he would consult his Majesty; and communicated to the Lord Mayor and Sheriffs at the following Levee, that it was his Majesty's pleasure that their Petition should be delivered at the Secretary of State's Office, his Majesty having for the last four years discontinued public levees, on account of the defective condition of his eye sight. The Lord Mayor and Sheriffs offered to present it at the private levee, when they presented the Common Council Petition;

but *they were not permitted*, and the Secretary offered to take it and save them the trouble of calling at his office. They read to him the Resolution of the Common Hall, and informed him, that they could not present it except to his Majesty personally. The Sheriffs afterwards waited upon the Secretary of State at Whitehall; and Mr. Sheriff Wood requested that he would apply to his Majesty for a private audience for the Sheriffs. The Secretary thought he could not do this—his Majesty having already signified his pleasure. In consequence of this situation of affairs, the Sheriffs had thought it proper to report to a Common Hall, and to crave further instructions."

When this Report had been read, Mr. Favell, who appears to be a very able as well as public-spirited man, proposed, at the end of a speech of some length, a set of Resolutions, one of which, as will be seen, provided for the publication of the original Address and Petition.——These Resolutions, which I am now about to insert along with the Address and Petition, were seconded, in a very neat and perspicuous Speech, by Mr. Jones.

Resolutions of 9th Jan. 1810.

SMITH, Mayor.

In a Meeting or Assembly of the Mayor, Aldermen, and Liverymen of the several Companies of the City of London, in Common Hall assembled, at the Guild-hall of the said City, on Tuesday, the 9th day of January, 1810.

Resolved unanimously,

1. That it is the undoubted right of the Lord Mayor, Aldermen, and Livery of the City of London, to present their Petitions to the King sitting upon his Throne; that out of personal feelings towards their Sovereign they did, at the last Common Hall, wave the exercise of this right.

2. Resolved unanimously—That it appears that the Secretary of State informed the Sheriffs, that the Petition of the Livery could be received only through his Office; that they have been denied not only the usual access to his Majesty, by a personal audience, but the undoubted right of presenting the same when they had actual access to his Majesty at the Levee, where they attended to present, and did present, a Petition from the Court of Common Council.

3. Resolved unanimously—That such denial is not only subversive of the Rights of the Livery, but a flagrant violation of the Right of Petitioning, claimed, demanded, and insisted upon, and confirmed to them by the Bill of Rights.

4. Resolved unanimously—That all complaints of the misconduct and incapacity of his Majesty's Servants are most likely to be nugatory, if such complaints must pass through the hands of those very Servants, and the People can have no security that their complaints are heard.

5. Resolved—That whoever advised his Majesty not to receive the Petition of the Livery in the accustomed and established mode, have committed a scandalous breach of their duty, violated one of the first principles of the Constitution, and abused the confidence of their Sovereign.

6. Resolved unanimously—That this Common Hall, disregarding all attempts and designs of interested and corrupt hirelings, who derive emoluments from the national burthens, to impute unworthy and disloyal motives to those who resist unprincipled and dangerous encroachments upon their established rights, are determined, to the utmost of their power, to maintain them against those evil Counsellors, who have thus raised a barrier between the King and the People, and thereby prevented their just complaints from reaching the royal ear.

7. Resolved—That the following Instructions be given to our Representatives in Parliament:—

Gentlemen—You are hereby instructed to move in the House of Commons (or support such motion if moved), for an humble Address to his Majesty, praying for an immediate and rigid Inquiry into the cause of the unexampled failures and disasters which have attended our late Expeditions to Spain, Portugal, and Holland, whereby the blood and treasure of the country have been shamefully sacrificed, without rendering any effectual assistance to our allies, checking the progress of the enemy, or tending to the glory or security of his Majesty's Crown and Dominions. You are also instructed to support all motions which have for their object Inquiry into the violation of the rights of petitioning—into the wasteful expenditure of the public money—the correction of public abuses—the abolition of all unnecessary places and pensions—the shortening of the duration of Parliaments, and restoring them to their constitutional purity and in-

dependence, as the only means of retrieving our public affairs, and enabling this country successfully to contend against surrounding nations.

8. Resolved unanimously—That the Sheriffs, attended by Mr. Remembrancer, do forthwith wait upon his Majesty, and deliver into his Majesty's hand, in the name of the Lord Mayor, Aldermen, and Livery of London, a fair copy of the foregoing Résolutions, signed by the Town Clerk.

9. Resolved unanimously—That the Thanks of this Meeting be given to the Right Hon. the Lord Mayor, for his independent behaviour upon all occasions, and particularly for his conduct this day.

10. Resolved unanimously—That the Thanks of this meeting be given to Sheriff Wood, for his general conduct, and for his having requested an audience of his Majesty, agreeable to the Instructions of this Hall.

Resolved unanimously—That the Resolutions of this day, together with the Petition agreed upon on the 14th day of December last, be signed by the Town Clerk, and published in the usual Morning and Evening Papers. WOODTHORPE.

ADDRESS AND PETITION of 14th Dec. 1809.

To the King's most excellent Majesty.

The humble and dutiful Address and Petition of the Lord Mayor, Aldermen, and Livery, of the City of London, in Common Hall assembled:

Most Gracious Sovereign,

WE your Majesty's most dutiful and loyal Subjects, the Lord Mayor, Aldermen, and Livery, of the City of London, in Common Hall assembled, most humbly approach your Majesty, at this awful crisis, to exercise a duty no less painful than imperious.

It is to represent with humility to your Majesty the present deplorable situation of public affairs, that we have again approached your Royal Person.

Attached to your Majesty's illustrious house, from affection and from duty, we should ill-demonstrate the sincerity of our loyalty, were we to conceal from your Majesty, that it is not amongst the least considerable of our grievances, that attempts should have been made to brand your Majesty's faithful subjects with disaffection to your person and government, whenever they have exercised their indubitable right to complain of gross abuses in the State, or to attribute the disgraceful failure of expensive and calamitous enterprises, to the ignorance and incapacity of those, who either planned, or executed them; as if infallibility were the appendage of office, and belongs of right to those who may be called into your Majesty's councils.

With equal grief and indignation we have seen the disastrous result of various Expeditions, in which your Majesty's armies have been unhappily engaged, and which most forcibly mark the disgraceful imbecility of those distracted councils, which have so scandalously lavished the blood and treasure of a patient, loyal, and burthened people.

Towards the close of the preceding year, your faithful Citizens humbly expressed to your Majesty their deep concern and disappointment at the disgraceful Convention of Cintra; but we have yet to deplore, that due and efficient inquiry has not been made into that disgraceful transaction.

It is equally painful to call to your Majesty's recollection the melancholy fate of a second army assembled within the Peninsula, under the gallant commander Sir John Moore—ignorant alike of the state and disposition of the Spaniards, and the force and designs of the enemy, this army being sent into the interior of Spain, was in imminent danger of being captured; in this critical emergency and state of agonising perplexity, abandoned to his own resources, this hapless, but meritorious Officer at length discovered that he had no safety but in flight; with the loss of his ammunition, horses, specie, and baggage, and harassed and assailed on all sides, he secured the retreat of the remains of his gallant followers by the sacrifice of his own invaluable life.

Deriving no benefit from experience, a third well-appointed army, under the command of Sir Arthur Wellesley, was hurried into the interior of Spain, alike ignorant of the force and movements of the enemy, where, after an unprofitable display of British valour, and a dreadful slaughter, this army, like the former, was compelled to seek its safety by a precipitate retreat, before (what we were led to believe) a vanquished foe, leaving thousands of our sick and wounded countrymen in the hands of the enemy.

This loss, like others, has passed without inquiry, and as if impunity had placed the Servants of the Crown above the reach

of justice, your Majesty has been advised to confer titles of honourable distinction on the General, who had thus exhibited a rash and ostentatious display of unprofitable bravery.

After these multiplied errors, and in defiance of reiterated experience, we have seen another Expedition yet more expensive, more disgraceful, and more calamitous than the former. This Armament, delayed until the fate of Austria was decided, landed on the unwholesome shores of the Scheldt, where, after an unaccountable state of inaction, thousands of our brave soldiers have miserably and ingloriously perished, by pestilence, privation and disease, without having accomplished one national object. On such an Expedition, planned and conducted by a Minister, who it is now known had been pronounced unfit for his Office by his Colleagues—an Expedition that touches all minds with shame, and fills all hearts with agony, it is too painful to dilate.

We cannot refrain from representing to your Majesty, that while the affairs of the nation have been so shamefully misconducted abroad, the most scandalous waste, profusion and mismanagement, has prevailed at home; and your Majesty's confidential Advisers, destitute of all those qualities essential to good government, and regardless alike of the sufferings of the People, and of the honour of their Sovereign, and insensible or indifferent to the surrounding dangers, and the impending fate of the Country, have been engaged in the most disgraceful squabbles, intrigues and cabals, that ever degraded the Councils of any Nation, and which cannot but be as disreputable to your Majesty's Government, as they are ruinous and dishonourable to the Country.

While we disclaim all interest in the views of contending parties, from a firm conviction that we cannot look for a reformation in the abuses of the State, from any persons or parties interested in the preservation of them; we cannot but express our ardent hope that your Majesty will be more fortunate in the choice of the men to whom you may hereafter confide the conduct of affairs; and that your councils will be no longer embarrassed, nor the country insulted and dishonoured by those disgraceful occurrences, which, while they have exposed us to the ridicule of surrounding nations, may embolden the enemy to look forward with confidence to the subjugation of a nation so distracted in her councils, and so improvidently governed.

That while we forbear enumerating a long train of internal grievances, we cannot but attribute such a series of failures and disasters to the abuses and corruptions of the state, and the consequent want of a constitutional controul over the public expenditure, and the servants of the Crown, whereby the responsibility of Ministers appears to exist only in name.

We therefore humbly pray your Majesty will be graciously pleased to assure your loyal and affectionate people, that the object to which their wishes are directed; is neither to be abandoned or deluded; and that your Majesty will be pleased to institute a rigid, impartial, and general inquiry, into these great national misfortunes; into the plans upon which these Expeditions were undertaken; and into the conduct of the Commanders to whom they were intrusted.

Signed by Order, HENRY WOODTHORPE.

It will be seen, that one of the Resolutions orders a copy of the Resolutions themselves to be *delivered into the king's hand*, by the Sheriffs, accompanied by the Remembrancer. So that, the City of London is, at last, resolved, it appears, to shew, that the blood of Englishmen has not quite departed from their veins.—— I have not time, or room, to make any remarks upon the debates at the Common Hall; nor is it necessary, the *result* speaks better than any thing else could. I cannot, however, refrain from particularly noticing a short speech of MR. SHERIFF WOOD, upon the passing of the vote of thanks to him.—— "He declared that no-
"thing could be more gratifying to him
"than the vote which had just passed.
"He came into the Corporation with the
"express determination of doing his duty,
"and he hoped he should uniformly act
"up to this determination. Justice to
"himself, however, and to their cause, re-
"quired that he should explain the way
"in which he had acted. Some persons
"had found it convenient for themselves
"to misrepresent the conduct which he
"either had pursued, or might be sup-
"posed to be ready to pursue. He had
"been represented as ready, on the firs
"favourable opportunity, *to rush into th*
"*presence of his Sovereign, and to insult him*
"This, he need only say, was never i
"his contemplation." While the Corpora
"tion was at the Palace, he confessed th

"he did particularly request of the Lord "Mayor to urge the reception of the Ad- "dress of the Livery. He was not then, "however, the first person. Now he ob- "served, by the Resolution of the present "Meeting, that he was the first person, "and he assured them that he should do "every thing in his power to effect the "object committed to his care. The "persons who had so misrepresented him "were *conscious of guilt in themselves.* "They would tell you, if you *wished for* "*redress of grievances*, that *you insulted his* "*Majesty.* They were *enemies to true li-* "*berty.* But he assured the Livery, that "no exertion on his part should be want- "ing, notwithstanding their impediments, "*to reach the Royal ear.*"——It is truly heart-cheering to hear language like this applauded in that place, where for so many, many years, nothing met with applause but the basest of court-flattery, the vilest subserviency to every succeeding minister, be his principles, or his measures, what they might. What a change, and in so short a space of time! This does give one some hopes, that the country, in the hour of her trial will not want for hearts to defend her.

INDIA.——What! an open rebellion in that country, in which a large part of the army is taking a share! Thus says the Morning Chronicle of the 10th instant: ——"We understand that official dis- "patches have been received, both by "Government and by the Court of Di- "rectors, dated from Ceylon, in the end "of August, and from the Cape, in the "middle of October, which agree in an- "nouncing, *that the whole native army on* "*the Madras Establishment, was in a state of* "*open mutiny. and revolt.* The mutineers "had *taken possession of many important* "*places*, among which Hyderabad and "Seringapatam are particularly named. "The last-mentioned place was their prin- "cipal station.—Lord Minto had arrived "at Madras, having left Calcutta, to re- "store tranquillity by his presence, be- "fore matters came to this extremity. "The King's troops, to the amount of "eleven thousand men, had taken the "field against the insurgents. General "Maitland had sent a strong corps from "Ceylon to co-operate, and two regiments "had already left the Cape for the same "destination."——The STATESMAN thinks, that this is the most *awful* event that has happened since the *mutiny in the fleet.* I am very far indeed from entertaining any such opinion. I would rather hear of all India being wrested from us, than hear of a commotion in one single county of Ireland.——As a matter of *curiosity* merely, I shall, in my next, endeavour to give a clear analysis of the accounts that have come to hand respecting this rebellion.——In the meanwhile, I beseech my readers to be under no apprehension at all as to the consequences that it may produce to us, the people of England.

WM. COBBETT.

Botley, 11th Jan. 1810.

COBBETT'S

Parliamentary Debates:

The Twelfth, Thirteenth, and Fourteenth Volumes of the above Work, comprising the Proceedings in both Houses of Parliament during the last Session, are ready for delivery. Complete sets from the Commencement in the Year 1803, may still be had of the Publishers.

COBBETT'S

Parliamentary History

OF

ENGLAND,

Which in the compass of Sixteen Volumes, royal octavo, will contain a full and accurate Report of all the recorded Proceedings, and of all the Speeches in both Houses of Parliament, from the earliest times, to the Year 1803, when the publication of "Cobbett's Parliamentary Debates" commenced.

The numerous Subscribers to the above Work are respectfully informed, that the Sixth Volume, embracing the period from the Accession of Queen Anne, in 1702, to the Accession of King George the First, in 1714, will be published in March next.

CATHOLIC CLAIMS.

SIR;—In your last Number you tell us that you will not publish any long letters which you may receive upon the Catholic Claims. I conclude, from your expression, that you do not object to publish short ones, and such as do not over-lay their sub-

ject. From that Number I learn, what I should not otherwise have suspected, that there are still persons weak enough to imagine that the King is precluded, by his oath, from assenting to the admission of Catholics into parliament. To such persons, give me leave to say, in addition to your own forcible arguments on the subject, that the King has already, by anticipation, proclaimed to the nation his assent to the measure. For what other meaning but this can be affixed to the 4th Article of the Legislative Union with Ireland, solemnly sanctioned by his Majesty? The words of the Act are, "The members "of the United Parliament shall take and "subscribe the usual oaths and declarations *until the said Parliament shall "otherwise provide.*" Why did not those who are said to have suggested scruples to the King about the abrogation of those oaths, tell him, in the first instance: Your Majesty's conscience and honour do not permit you to sanction this Article, because you, and, of course, parliament, never can provide for the alteration of those tests? But, Sir, it was necessary, at the time of the Union, that his Majesty should appear to confirm those promises which his ministers so repeatedly and earnestly made to Catholics concerning the loosing of their chains as an inducement to them to concur in the measure. And it is an undoubted fact, that the repeated breaches of faith, in their regard, have contributed more to their discontent than their actual disabilities and sufferings. —It appears, Sir, from one of your former Registers, that you, no less than the public at large, imagine that Catholic soldiers and sailors are under no persecution or restraint in the article of religion. This is far from being the case, as the case which they enjoy, or the restraint which they suffer in this respect, depends upon the character or caprice of their Commanding Officers, and the varying temper of the War-office. Commanding Officers of an intolerant or churlish disposition, in refusing soldiers permission to attend their own place of worship, and in obliging them to attend another, contrary to their consciences, shelter themselves under the first Article of War, which requires all military men to "attend Divine Worship "at the place appointed for this purpose:" Such is the case even in Ireland, where, by the Act of 1793, Catholic soldiers are expressly allowed the exercise of their religion. In every other part of the British empire they are, and they generally feel that they are, out of the protection of the law, in this respect. I can confirm this from my own certain knowledge: for, having sent up a petition to the Commander in Chief, on behalf of the Catholic soldiers, then in garrison at Winchester, praying that they might be allowed to attend their own place of worship on Sundays, when not upon military duty; his Royal Highness returned me for answer, through a liberal Secretary at War, well known to you, Sir, and to me, that he was "not authorized by law to grant the peti- "tion." I have reason to believe, that it was more to relieve the consciences and to conciliate the affections of 200,000 brave fellows who are fighting the battles of this country, by sea and land, than to obtain commissions for two score of gentlemen, that Lord Howick brought in his memorable bill, which was attended with such important consequences. You have painted, with your usual glow of colouring, the consequences of an invasion of Ireland at the present time; but you have not taken into consideration the effect of those placards of Liberty of Conscience with which the invading general would as certainly be furnished as with powder and ball, or the feelings in your navy and army which would be the too probable consequence of a slight impression upon Ireland.—Will it be believed, Sir, that the spirit of No Popery has followed the Catholic soldiery into the heart of Portugal and Spain? Whilst the troops (one full half of whom were Irish Catholics) remained in the neighbourhood of Lisbon, they were not molested on the score of religion, and half a dozen English or Irish priests, who ventured their lives in the charitable employment, were allowed to attend the sick in the hospitals and convents of that city. But the case was otherwise when orders were issued to march forward into the country and into Spain. The presidents of the English and Irish colleges of Lisbon, Messrs. Buckley and Crotty, presented a petition to Sir John Moore, requesting that the above-mentioned priests (all of whom are now in England to verify the facts) might be permitted to attend those of their own religion, particularly the sick and wounded; asking for no allowance for them, but common rations; and, to remove all jealously on the part of the dean, so called, and the chaplains, whom the ministry sent out in greater numbers than heretofore to

counteract the Popish infection of the country, offering that they should attend the army in the capacity of interpreters. In fact, what services might not these priests have rendered to the common cause! To be brief; Sir John Moore, on his part, expressed the highest admiration of the heroism of these good men, and his sense of the important benefits to be expected from them; but he said, his hands were tied up, and that he could not accept of the proposal without the consent of his staff and of the chaplains. Their voices were understood to be all averse to the measure, except that of General Stewart; and the fact, of course, became known, not only to the Irish Catholics, but also to the Portuguese and Spaniards. I must not forget a fact mentioned by one of the chaplains, the Rev. Mr. Ormsby, in his late publication, that the conduct of a great part of our army in Spain was such as "to "confirm the inhabitants in their absurd "notion, that the English are not Chris-"tians." Can we be surprized, after this, at the coolness, or rather the aversion, of our allies in regard to our troops? The fact is, these religious or bigotted people, call them which you please, considered it as only a choice of evils between receiving the English and the French amongst them.—The emancipation, Sir, must come very soon: God grant it may not come too late! Whenever it does take place, let the promoters of it refrain from those useless teazing measures, the mixed produce of bigotry and liberality, which will have no other effect than to make the Irish hesitate about a choice of evils between No Popery and the Talents, and to render their discontent greater than ever.

W. Jan. 2. Yours, J. M.

OFFICIAL PAPERS.

AMERICAN DISPUTE.—*Correspondence, between* MR. R. SMITH, *the American Secretary of State, and* MR. F. J. JACKSON, *the English Envoy.*

MR. SMITH TO MR. JACKSON.

(Continued from p. 32.)

Is any thing more common in public negotiations than to begin with a higher demand, and, that failing, to descend to a lower? To have, if not two sets of instructions, two, or more than two grades of propositions in the same set of instructions, to begin with what is the most desirable, and to end with what is found to be admissible in case the more desirable should not be attainable. This must be obvious to every understanding, and it is confirmed by universal experience.—What were the real and entire instructions given to your predecessor is a question essentially between him and his Government. That he had, or, at least, that he believed he had sufficient authority to conclude the arrangement, his formal assurances, during our discussions, were such as to leave no room for doubt. His subsequent letter of the 15th June renewing his assurance to me, "that the terms of the agreement so "happily concluded by the recent nego-"tiation will be strictly fulfilled on the "part of his Majesty," is an evident indication of what his persuasion then was as to his instructions. And with a view to show what his impressions have been even since the disavowal, I must take the liberty of referring you to the annexed extracts (see c) from his official letters of the 31st July and of the 14th of August.—The declaration "that the dispatch from Mr. Can-"ning to Mr. Erskine, of the 23rd January, "is the only dispatch by which the con-"ditions were prescribed to Mr. Erskine "for the conclusion of an arrangement on "the matter to which it relates," is now, for the first time, made to this Government. And I need hardly add, that if that dispatch had been communicated at the time of the arrangement, or if it had been known that the propositions contained in it, and which were at first presented by Mr. Erskine, were the only ones on which he was authorized to make an arrangement, the arrangement would not have been made.—As you have disclaimed any authority to offer explanations for the disavowal, as you have been willing to ascribe the want of such authority to the consideration that other channels had been preferred, and as you have even considered the circumstances under which the arrangement took place to be such as could only lead to a disavowal, and therefore as superseding the necessity of any explanation whatever, it is to be regretted, that you had not deemed it proper to render precise and explicit, that part of your letter which seems to imply that you had in our conversations, in relation to the affair of the Chesapeake, following the words of your instructions, held out not only the manner in which the reparation had been accepted, but even the form in which it had been tendered, as warranting his Majesty in even retracting the offer of reparation,

and that you had elucidated the observation by a reference to the particular expressions, which, at all events, put it totally out of his power to confirm any act containing them.—Whatever may have have been your intention in this part of our conversation, or whatever may be the import of the passage to which I have just alluded, I have now the honour of signifying to you, that I am authorised to receive in a proper form whatever explicit explanations you may chuse to make with respect to the grounds of this part of the disavowal; and without inquiring whether your authority be derived from instructions that have been addresed to yourself, or that have devolved on you as the successor of the Minister who had declined to execute them.—(As you have, at the same time, been pleased to say, that his Britannic Majesty had authorized you to renew the offer of satisfaction which Mr. Erskine was instructed to make, it was also naturally expected that you would in your letter have stated with precision in what that offer differed from the reparation solemnly tendered by Mr. Erskine, and accepted by the United States, and that you would have shewn in what the reparation thus tendered differed from his instructions. And when I had the honour to intimate that order to avoid the misconceptions incident to oral proceedings, it was thought expedient that our further discussion on the present occasion should be, in the written form, there was no part of the subject to which that intimation applied with more force than the case of the Chesapeake; none of which it was more desirable to avoid misconceptions, and obtain a precise knowledge of the propositions which you were authorised to make, not only because I did not really understand the particulars of the offer as distinctly as you seem to have supposed, but also because, on that point, and on that alone, you had expressly stated that you had propositions to make, and that you were authorised to carry them into immediate execution.—On the subject of the Orders in Council, the President perceives with sentiments of deep regret, that your instructions contemplate neither an explanation of the refusal of your Government to fulfil the arrangement of that branch of the existing differences, nor the substitution of any other plan of adjustment, nor any authority to conclude any agreement on that subject; but merely to receive and discuss proposals that might be made to you on the part of the United States; and these it appears must include a stipulation on the part of the United States to relinquish the trade with the enemies Colonies, even in branches not hitherto interrupted by British Orders for capture; and also a sanction to the enforcing of an Act of Congress by the British Navy.—Were the way properly opened for formal propositions from this Government, a known determination on the part of his Britannic Majesty to adhere to such extraordinary pretensions, would preclude the hope of success in such advances, whether regard be had to the conditions themselves, or to the disposition they indicate, in return for the conciliatory temper which has been evinced by the United States.—As to the demand in relation to the colonial trade, it has been the less apprehended, as it is not in itself connected, nor has it ever before been brought into connection, either with the case of the Orders in Council or with that of the Chesapeake. And it was reasonably to be presumed, if the idea of such a condition had in the first instance proceeded from the erroneous belief that it was not objectionable to the United States, that it would not have been persisted in after that error had been ascertained and acknowledged.—The other demand could still less have been apprehended. Besides the inevitable and incalculable abuses incident to such a license to foreign cruizers, the stipulation would touch one of those vital principles of sovereignty which no nation ought to have been expected to impair. For where would be the difference in principle between authorising a Foreign Government to execute, and authorising it to make laws for us? Nor ought it to be supposed that the sanctions and precautions of a law of the United States in the cases of the prohibited trade in question, would prove inefficacious for its purposes.—Had none of these obstacles presented themselves to the course corresponding with the sentiments and dispositions of the President, I should have felt great pleasure in giving you formal assurances of his readiness to execute the conditional authority with which he is invested, for restoring in its full extent, as far as it may depend on the United States, the commercial intercourse of the two countries, and that he would moreover be disposed to extend the experiment of a friendly negotiation to every point of difference and of mutual interest between them. If indeed, in the event of a success-

ful termination of what relates to the case of the Chesapeake, it be thought that a removal of the difficulties arising from the Orders in Council might be facilitated by comprehending them in a general negotiation, and the operation of the Orders can in the mean time be suspended, the door might be considered as immediately open to that course of proceeding.—To such a suspension no reasonable objection can be made, if, as you have stated, the Orders in Council, as now modified, leave the trade of the United States nearly as great as it would be without the existence of such Orders, so long as France and the other Powers shall continue their Decrees, and inasmuch as a discontinuance of their Decress by those Powers confessedly requires an immediate and intire revocation of the Orders in Council.—That a suspension of the Orders, with a view to their being brought into a general negotiation, is more reasonable than a temporary submission to their authority by the United States with that view, is obvious from the reflection that such a submission would necessarily involve a relinquishment of the principle which they have stedfastly asserted, whereas a discontinuance of the Orders in Council, in the present actual state of things, would not be incompatible with the principles on which they were originally founded.—This principle was, as you well know, the necessity of retaliating, through neutrals, injuries received through a violation of their rights by another Belligerent. In the actual state of things, and under the actual modification of the Orders in Council produced by it, it is admitted by you, that the Orders have no practical effect in abridging the commerce of neutrals, and can, of course, have no retaliating effect on the other Belligerents.—Although it cannot be allowed to be true that the Orders in Council are no longer injurious to the commerce of the United States, it is certainly true that they produce no degree of injury to the enemies of Great Britain that can countenance the retaliating plea alledged in support of them.—What, permit me to ask, is the degree of injury actually accruing to the enemies of Great Britain from her retaliating Orders? According to those Orders, as now modified, and more especially taking into view along with them the prohibitory law of this country in relation to France, the essential difference between their repeal and their existence consists in this—that in the case of their repeal, as pledged by the arrangement of April, the trade of the United States might be carried on directly with the ports of Holland, whilst during their existence, as at present, it is to be carried on through the contiguous and neighbouring ports. To your own calculations, Sir, I submit, whether the inconsiderable effect of this circuit on the prices in Holland, and in the countries supplied through her, can any longer sustain the plea of inflicting distress on an enemy, or palliate the injuries done to a friend by a proceeding so contrary to his sentiments of justice, and which subject his regular commerce not only to inconvenient channels, but to all the abuses which may result from the suspicions, real or pretended, of interested cruizers. You cannot but be sensible, that a perseverance under such circumstances in a system which cannot longer be explained by its avowed objects would force an explanation by some object not avowed. What object might be considered as best explaining it, is an inquiry into which I do not permit myself to enter, further than to remark, that in relation to the United States, it must be an illegitimate object.—It remains to make a few observations which are due to the just interests of the United States, and which are invited by yours relating to the Orders in Council of May last.—You seem to consider that measure as comprising the utmost precaution that was in the power of his Britannic Majesty to take, for preventing losses, from his disavowal of the engagement of your predecessor, to citizens of the United States, who had resumed their commercial pursuits on the faith of that act.—Without entering into a full view of the inadequacy of the Order in that respect, I take the liberty of pointing out the following instances in which it falls essentially short of it declared intention.—1. The Order does not provide for the important case of vessels returning with cargoes from the ports of Holland.—2. The exemption from interruption of vessels bound from the United States to Holland was restricted by that Order to such as should have departed prior to the 20th of July, at which date it is not certain that the Order, which was not officially communicated until the 31st of that month, had even reached any one point of the United States. So that some vessels may have sailed between the limited date and the arrival of the Order in the United States, and many from distant ports must have done so after its arrival,

but before a knowledge of it had become general; all proceeding on the faith of the arrangement, yet all left by the Order exposed to capture and condemnation.—3. The Order does not provide for the important case of vessels which had sailed on the like faith for Dutch ports other than those of Holland.—4. It does not include in its provisions the extensive list of vessels going indirectly from the United States, but directly from foreign ports to those of Holland, nor vessels trading entirely from foreign ports to Holland; and in both these instances proceeding on the faith of the arrangement professed to be respected within the defined period.—It is true, in these last instances the vessels were not to be captured without an attempt, after contrary warning, to proceed to those ports. But I need not remind you that the injuries incident to the delay and to the breaking up of such voyages cannot but have been considerable, and will have resulted as manifestly from the disappointed faith in the arrangement, as in the cases specially provided for, and consequently with all other losses fairly resulting from the same *bona fide* confidence in that act, they will fall within the just indemnification for which the principle, assumed in the Order, is a formal pledge.—I conclude, Sir, with pressing upon your candid attention, that the least which the President could have looked for in consequence of the disavowal of a transaction such as was concluded by your predecessor, and carried faithfully into effect by this Government, was an explanation from yours of the disavowal, not through the Minister disavowed, but through his successor—an explanation founded on reasons strong and solid in themselves, and presented, neither verbally, nor vaguely, but in a form comporting with the occasion, and with the respect due to the character and to the good faith of the disappointed party; that it has been found with much concern and with not less surprise, that you are charged with no such explanations; that you have apparently wished to bring the subjects which have been formally and definitively arranged into fresh negociations, as if no such arrangement had taken place; that one of the cases thus slighted, viz. that of the frigate Chesapeake, is a case for which reparation, not denied to be due, had been previously so long withheld, or rather in which the aggression itself has been spun out to the present moment, by the continued detention of the mariners, whose seizure making a part of the original hostility committed against the American frigate, must be regarded in a light analogous to a continued detention of the ship itself; that in the other case, viz. that of the Orders in Council, you are not authorized to tender explanations for the disavowal, or to propose any new arrangement, nor to conclude any agreement, but solely to receive and discuss propositions which might be made to you, not concealing, at the same time, that, to be satisfactory, they must include two conditions, both inadmissible—one altogether irrelevant to the subject, and the other requiring nothing less than a surrender of an unalienable function of the national sovereignty.—Notwithstanding these repulsive considerations, such is the disposition of the President to facilitate a final and comprehensive accommodation between the two nations, that he is ready, as I have already had the honour of signifying to you, to favour any mode of bringing about so happy an event that may be found consistent with the honour and the essential interest of the United States.

NOTES REFERRED TO IN MR. SMITH'S SECOND LETTER TO MR. JACKSON.

(A.)

Extract of a Letter from Mr. Pinkney to Mr. Canning, dated London, Oct. 10, 1808.

At our first interview (on the 29th June) verbal communication was not discountenanced, but commended; for, after I had made myself understood as to the purpose for which the interview had been requested, you asked me if I thought of taking a more formal course; but immediately added, that you presumed I did not, for that the course I had adopted was well suited to the occasion. My reply was in substance, that the freedom of conversation was better adapted to our subject, and more likely to conduct us to an advantageous conclusion, than the constraint and formality of written intercourse, and that I had not intended to present a note. At the second interview (on the 22nd July) it did not occur to me that I had any reason to conclude, and certainly I did not conclude, that verbal communication had not continued to be acceptable as a preparatory course, and it was not until the third interview (on the 29th July) that it was rejected as inadmissible.

(B.)

From Mr. Canning to Mr. Pinkney, dated November 22, 1808.

It is highly probable that I did not (as you say I did not) assign to you as the motive of the wish which I then expressed, my persuasion, that written communications are less liable to mistake than verbal ones; because that consideration is sufficiently obvious, and because the whole course and practice of office is, in that respect, so established and invariable, that I really could not have supposed the assignment of any specific motive to be necessary to account for my requiring a written statement of your proposals, previous to my returning an official answer to them.—I had taken for granted all along, that such would, and such must, be the ultimate proceeding on your part, however you might wish to prepare the way for it by preliminary conversations.

(C.)

Extract of a Letter from Mr. Erskine to Mr. Smith, dated Washington, July 31, 1809.

Neither the present time nor the occasion will afford me a favourable opportunity for explaining to you the grounds and reasons upon which I conceived I had conformed to his Majesty's wishes; and to the spirit, at least, of my instructions upon that subject; nor indeed would any vindication of my conduct (whatever I may have to offer) be of any importance, further than as it might tend to shew that no intention existed on my part to practise any deception towards the Government of the United States.

From the Same to the Same, dated Aug. 14.

Under these circumstances, therefore, finding that I could not obtain the recognitions specified in Mr. Canning's dispatch of the 23rd of January (which formed but one part of his instructions to me), in the formal manner required, I considered that it would be in vain to lay before the Government of the United States the dispatch in question, which I was at liberty to have done *in extenso*, had I thought proper But as I had such strong grounds for believing that the object of his Majesty's Government could be attained, though in a different manner, and the spirit, at least, of my several letters of instruction be fully complied with, I felt a thorough conviction upon my mind, that I should be acting *in conformity with his Majesty's* wishes, and accordingly concluded the late provisional agreement on his Majesty's behalf with the Government of the United States.—The disavowal by his Majesty is a painful proof to me that I had formed an erroneous judgment of his Majesty's views and the intention of my instructions; and I have most severely to lament that an act of mine (though unintentionally) should produce any embarrassment in the relations between the two countries.

MR. JACKSON TO MR. SMITH.

Washington, October 23, 1809.

Sir; The letter, which you did me the honour to address to me on the 19th instant, was delivered to me on the following day. I shall without loss of time, transmit it to my Court, where the various and important considerations which it embraces will receive the attention due to them. In the interval, I would beg leave to submit to you the following observations, as they arise out of the communications that have already occurred between us.—In fulfilling a duty which I conceive to be due to my public character, I have never suggested, nor mean to suggest, that the mode of negociating prescribed by you, on this particular occasion, an occasion selected for the purpose of removing existing differences, was otherwise objectionable, than as it appeared to me to be less calculated, than it does to you, to answer the professed purpose of our negociation.—It was against the general principle of debarring a Foreign Minister, in the short space of one week after his arrival, and without any previous misunderstanding with him, from all personal intercourse, that I thought it right to protest. Since, however, I find by your letter, that it is not intended to apply that principle to me, I will only observe, that in the case which you mention to have occurred between Mr. Canning, and Mr. Pinkney, the conferences were held, under an expectation, at least, on the part of the former, of their leading to a written communication; whereas, in ours, I, from the beginning, stated that I had no such communication to make.

(To be continued.)

LONDON:—Printed by T. C. HANSARD, Peterborough-Court, Fleet-Street;
Published by R. BAGSHAW, Brydges-Street, Covent-Garden;—Sold also by J. BUDD, Pall-Mall.

COBBETT'S WEEKLY POLITICAL REGISTER.

VOL. XVII. No. 3.] LONDON, SATURDAY, JANUARY 20, 18[illegible] [Price 1s.

" How curious to contemplate TWO STATE ROOKS,
" Studious their nests to feather in a trice,
" With all the Necromantics of their art,
" Playing the game of *faces* on each other,
" Making court-sweetmeats of their *latent gall*,
" In foolish hope *to steal each other's trust*;
" Both *cheating*, both *exulting*, both *deceived*;
" And sometimes both (let Earth rejoice) *undone*!"
YOUNG: Night Thoughts: The Complaint.

SUMMARY OF POLITICS.

LORD CASTLEREAGH.——This Lord is, it would seem from the public prints, making, or somebody for him, great efforts to put himself forward again, and even to establish some claim to comparative disinterestedness. Nay, a correspondent tells me, that he is not without his hopes, that we may "yet see Castle-"reagh a patriot," as he seems so anxious to disclaim all share in the pocketing of public money.——If one may judge from the language of the partizans of the ministry, it is the intention to *disown* both the Pistolling Privy-Counsellors; for, at the BERKSHIRE MEETING, the whole of the Proceedings at which the reader will find below, and find well worth his reading; at this meeting, the partizans of the ministry contended, that they were not to be blamed for the scandalous bickerings and quarrellings, which had taken place in the cabinet, seeing that the wranglers were now out; and, one of the speakers *thanked God*, that they *were out*. —— It is not, therefore, impossible, that my Lord Castlereagh may have the design of becoming a patriot; but, I must not let him, or any one for him, pass himself off, as to the past, at least, for what he has not been.—— There is an attempt making to create a belief, that, in my Statement of the 21st of January last (just a year ago, lacking one day), at page 74 in Vol. XV. of the Register, I published, respecting the emoluments of this man and his relations, what was FALSE. Great pains are taking to cause this to be generally believed. The motives for this I can easily guess at; but, be the motives what they may, it becomes me to expose the trick, and to show THAT MY STATEMENT WAS TRUE, with the exception of a mere error in casting, and a trifling error in the amount of one salary, which, it is evident, could not be intentional; which could make no difference at all as to the conclusions to be drawn from the statement; and which was more than overbalanced by *omissions* of other salaries or emoluments.——Some time ago (upon precisely what occasion I do not recollect), MR. WAITHMAN did, it seems, make, in speaking to the Citizens of London, a statement respecting the enormous sums of public money, swallowed by Lord Castlereagh and his relations.—— At the *last* City-Meeting, MR. WAITHMAN, having, as he said, been informed, that his statement about the emoluments of Lord Castlereagh and his relations was an erroneous statement, corrected that statement; but observed, at the same time, that he had taken his facts "*from the news-*"*papers*," which facts had never been contradicted.——I was rather surprized at this explanation of MR. WAITHMAN, because I had not observed any thing incorrect in his first statement; but, what was my astonishment, when I read, in that excellent Evening Paper, the Statesman, a sort of *circular* article, ascribing MR. WAITHMAN's pretended mis-statement to ME! I was struck with the audacity of the thing; and, I, at once, got over a resolution that I had formed, never more to name, either CASTLEREAGH or CANNING. ——The STATESMAN introduces the CIRCULAR ARTICLE with these words: "On "Saturday night, we received for insertion "the following statement, which, by its "having appeared in the Morning Papers "of this day, we conclude to be destined "to make the *grand tour* of the press of "the United Kingdom.—We feel at all "times gratified in the opportunity of giv-"ing publicity to statements which have "for their object the investigation of truth. "Lord Castlereagh is, indeed, by this ac-"count, a much more neglected Statesman

"than we had apprehended him to be. "This, however, our readers must bear in "mind, is a statement made by the noble "lord, in contradiction of that which was "stated by Mr. COBBETT more than 12 "months ago, and which having, until "Tuesday last, remained uncontradicted, "Mr. Waithman was, therefore, as fully "*justified* in *asserting*, as the public in *be*-"*lieving*."——This is very good for all the parties, except "Mr. Cobbett," who is not disposed to pass for *a promulgator of falsehoods*, though those falsehoods should be two years old instead of one; and therefore Mr. Cobbett, in order to prove that he scorns to shelter any statement of his under a pretence of *lapse of time*, here republishes his Statement, and, with the insignificant errors above-noticed, *asserts it to be a true statement*.——First, however, let me remind the reader of the circumstances, under which the statement was made, and the cause of its being made.—— The DANISH ISLANDS had just been taken, and the Commanders, by sea and land, who made the capture, had bestowed, as being in their gift, (from long usage) *four offices*, two of HARBOUR MASTER and two of NAVAL OFFICER, upon two officers of the navy, and one military officer, all serving upon the station; but, Lord Castlereagh, being then in an office which gave him the management of the *colonies*, set aside these appointments; took the emoluments of these offices from three officers, serving their country in that pestilential climate; took the four offices from them, *and gave them all to his own uncle*, LORD GEORGE SEYMOUR, *who was living in safety at home, and who was, at the same time, a Commissioner of Excise in England!*——This was the act that called forth the Statement, which my friend the STATESMAN, has, without due consideration, seemed to admit to be *untrue;* but, for the truth of which, with the insignificant exceptions above-mentioned, I am ready to vouch. Indeed, I will leave no doubt at all upon the subject.——Here is the Statement.

EXTRACT FROM THE POLITICAL REGISTER, 21 JAN. 1809.

"LOYALTY."——I mean not vulgar loyalty, but loyalty in the modern sense of that word, as it is understood and passes current at Whitehall and in the neighbourhood; and of which loyalty I shall, under the indulgence of the reader, give some very striking instances. At one time in my life, when, indeed, I was at too great a distance from my country to be able to know much of what was passing in it, I was dreadfully alarmed for the safety of the throne. I heard of nothing but meetings of Corresponding Societies, United Irishmen, and Jacobins. Little did I imagine, that the loyal were so numerous as I have, since my return, found them to be; nor, indeed, was it till very lately that I obtained a complete and authentic return of their numbers: I mean, the Lists of place-men, pensioners, and reversionaries, contained in the Report, laid before the House of Commons, by the Finance Committee, in the month of June last. *Complete*, indeed, this return is not; but, defective as it is, it is quite populous enough to remove, from the mind of any reasonable man, all fears as to a want of loyalty in these United Kingdoms.——There are many individuals, and many whole families, to whose distinguished loyalty it would well become me to attempt to do justice; and, as opportunities offer, I may, perhaps, towards many of them, be able to perform this very pleasing and not unuseful task. At present I shall confine myself to the displaying of the proofs of this most estimable quality in the VISCOUNT CASTLEREAGH AND SOME OF HIS RELATIONS; and, I select this nobleman, not so much because he is one of the ministry, as because he is well known to have been, of all mankind, the man after the late Pitt's own heart; the man, of all others, the nearest resembling him in talents as well as in disposition; and, the only man on earth, perhaps, whom he could have found to execute his commands in Ireland.—— In making this display, it will not be sufficient merely to state the sum that each person annually receives. We must also see how long they have been in the receipt of it; whence will naturally proceed a calculation of the total amount received, including, of course, the compound interest thereon; because, it is clear, that if a man has been in the receipt of a thousand a year, out of the taxes, during the space of twenty-eight years, he has, in fact, received fifty-six thousand pounds from the public; or, which is the same thing, taken from the public that, which if left in its hands, would, at common interest, have been worth fifty-six thousand pounds.——Having made this preliminary remark, I shall now proceed to my statement, numbering the offices, as I go, for the sake of brevity in the case of reference.

1. Lord Castlereagh. Secretary of State, £. 6,000 a year.
2. Brigadier Gen. Stuart, (brother of Lord Castlereagh) Under Secretary of State, £. 2,000 a year.
3. Same person.—Gen. upon the Staff; upon our *famous Staff*, £. 1,500 a year.
4. Same person.—Lieut. Col. of a regiment of dragoons, £. 500 a year.
5. Lord Henry Moore (a first cousin of Lord Castlereagh) joint muster-master gen. in Ireland, a patent place, £. 2,100 a year.
6. Mr. John Ormsby Vandeleur (a first cousin of Ld. Castlereagh) Commissioner of the excise in Ireland, £. 1,200 a year.
7. Messrs. John Staples and Thomas Staples (first cousins of Ld. Castlereagh) Examinators of the customs in Ireland, £. 918 a year.
8. Lord Henry Seymour and Lord Robt. Seymour (uncles of Ld. Castlereagh) Prothonotary in the Court of King's bench in Ireland, £. 12,511 a year.
9. Same persons.—Clerk of the crown in the King's bench in Ireland, £. 427 a year.
10. Same persons.—Filazers in the King's bench in Ireland, £. 1,105 a year.
11. Lord Robert Seymour (uncle of Ld. Castlereagh) Craner and Wharfinger of the Port of Dublin, £. 1,930 a year.
12. Lord George Seymour (uncle of Lord Castlereagh) Commissioner of Excise in England, £. 1,300 a year.
13. Same person.—Harbour Master of the Port of Christiansted, in the Island of Saint Croix, about £. 1,000 a year.
14. Same person.—Harbour Master of the Port of Fredericksted, in Saint Croix; about £. 1,100 a year.
15. Same person.—Naval Officer of the Port of Christiansted, in St. Croix; about £. 900 a year.
16. Same person.—Naval Officer of the Port of Fredericksted, in St. Croix; about £. 1,000 a year.
17. Lord George Seymour, and his son G. H. Seymour, 11 years old } The reversion of the office of Craner and Wharfinger of the Port of Dublin, valued at £. 1,930 a year, and now held, as just stated, by Ld. Robt. Seymour.

The total annual amount, paid by the public to these several persons, is £. 36,691; and, Nos. 8, 9, 10 and 11, having been held since 1766, the total sum, which, through those channels only, has been drawn from the public, including the compound interest, is, if my calculation be correct, £. 2,160,256. Two millions, one hundred and sixty thousand, and fifty-six pounds. No. 12, has been held for many years past; as long, perhaps, as the others; but certainly for about eight years past, as will be seen by referring to a list of places, in the second Volume of the Political Register; and, without including in the calculation, the several sums of money, which Lord Castlereagh has received, in the shape of salary, under the administrations of the late Pitt, Lord Sidmouth, and the present; without including in the calculation, these sums, amounting to an average of about £. 5,000 a year, for the last sixteen or eighteen years; passing over the interest and even principal of this large item; the total amount, drawn from the public by the above persons, does not fall much, if any, short of £. 3,000,000. *Three millions of the public money*, drawn from the public, during the last 30 or 40 years, by six or seven persons!—There's *loyalty* for you! *——I, sometime ago, produced striking proofs of loyalty in the person and family of Mr. Garnier, who, as Apothecary General and Officer upon the Staff, residing all the while quietly at Wickham, condescended to receive from the public, and, in part, of course, from the nasty, dirty, sweaty, smeary, hard-fisted and hard-favoured "Jacobins and Levellers," the sum of thirteen thousand a year and upwards; but, the loyalty of this gentleman and his family is nothing, when compared with that of those above-named. Here we see noble Lords, who, rather than his Majesty's business should go unperformed, willing to become, Muster-Masters, Prothonotaries, Clerks, Filazers, Excisemen, and Wharfingers; and, Lord George Seymour, not satisfied with what he can do in his life-time, has, we see, entailed this task of loyalty upon his son, though, at present, a child of only eleven years old. Nay, so anxious is this nobleman to assist his Sovereign, in carrying on the affairs of government, that he has not confined his loyal exertions to England and Ireland; but has procured himself, through Lord Castlereagh (into whose patronage these offices

came) to be appointed Naval Officer and Harbour Master, in the ports of our newly-conquered Island of Santa Croix, where, as appears by the Gazette of that place, he was formally appointed in the month of June last, by "His Excellency General "Harcourt;" though, from mere modesty, I suppose, the appointment was never announced in the Gazette at home.——There are some circumstances belonging to this appointment, that are worthy of particular notice. The island of Santa Croix, it is well known, was taken, about a year ago, by Sir Alexander Cochrane and General Bowyer, who, jointly, according to the usual custom in such cases, made appointments of Harbour Masters and Naval Officers. They bestowed the four offices upon three persons, in the following manner. Captain Thomas Cochrane, of the Navy, son of the Admiral, was appointed Harbour Master of the two ports; Captain Pickmore, of the Navy, was made Naval Officer of the port of Frederickstad; and Brig. Gen. Ramsay, Naval Officer of the port of Christiansted. All these appointments were set aside by Lord Castlereagh, and the four officers united in the person of his uncle, Lord George Seymour, who was before, as we have seen, and had been for many years, a Commissioner of the Excise in England. * With respect to the propriety of making sinecures of such offices, I have no hesitation to say, that the practice is wrong. But, such having been the practice; and the Commanders by sea and land having uniformly appointed officers of the navy and army, to be Harbour Masters and Naval Officers in the conquered ports, the commanders, upon the occasion now referred to, cannot be blamed for what they did. At Martinico, Sir Charles Grey appointed his son, Capt. Grey, to be Harbour Master; at Surinam, Lord Hugh Seymour appointed his son to the same situation; Sir Samuel Hood, upon the reduction of Surinam, this war, appointed Capt. Maxwell, of the Centaur, who still holds the post; and upon the capture of Curaçoa, Capt. Wood, of the Latona, was appointed Harbour Master. None of these appointments were set aside. All were confirmed. These posts of profit appear to have been considered as a perquisite of the Navy and Army, particularly the former, in the gift of the capturing commanders. The three officers, amongst whom this perquisite was divided upon the occasion referred to, are, by the navy and army, well known to be very meritorious men. They were, at any rate, men engaged in actual and very perilous service, if we think only of the nature of the climate, under which they were compelled, and are still compelled to remain. Lord George Seymour was not in the West Indies. He had run no risks from cannon balls or from yellow fever. He had, all his life long, been safe at home, and, for a considerable part of that life, a Commissioner of Excise, with a salary of £. 1,500 a year. He had had no buffetings of the seas to endure. His life had not been a life of suffering and of toil in that service, in that arduous service, in that navy, upon the fidelity, skill, valour, and zeal of the officers of which the safety of this kingdom does now almost solely depend, and towards which officers, therefore, policy as well as justice, imperatively forbid us to discover the slightest symptoms of ingratitude. * Reader, what is your opinion, as to the influence of these things upon the fate of the country? How do you think, that such a distribution of the favours of the crown, and of the money of the people, is likely finally to operate with respect to defence against a mighty conqueror, who is, and who naturally must be, an implacable foe? What do you think must be the feelings of those, who, after having, under a pestilential climate, fought and subdued, see the fair fruits of their toils and dangers bestowed upon those, who have remained at home in security and ease? Who see, that which might have diminished their *wants*, carried to augment the *luxuries* of others? The answer to these questions I leave to your sense of justice and of policy.

Such was my statement. In order to take up as little room as possible, I have left out parts of my *remarks*, not essential to the clearly comprehending of the statement. But, as to my *Statement*, here it is republished, and I do, in the most positive manner, *here re-assert that Statement to be true*, except the insignificant errors above-mentioned. These errors are, 300*l.* a year too much given to Lord George Seymour as an English Commissioner of Excise. I do not know how the error came to be committed, but I believe it to be one. But, on the other hand, I did not know, that

lord Castlereagh's brother, who was, at one and the same time, a Brigadier General in Portugal, a Lieutenant Colonel of a regiment of Dragoons, and Under Secretary of State in the far-famed Downing-street; I did not know, that this gentleman was, moreover, Military Governor of Charles Fort in the Island of Jamaica! My imagination never carried me so far as that. I had a great opinion of the "loyalty" of the gentleman; but, how was it possible for me to form an idea of a man's filling so many, and such incompatible offices, at one and the same time? ——Besides this, I omitted, I believe, some other of the Lord's relations, whom I will not omit another time.——Add the 600*l.* a year, then, to my former total, and the total will be 37,291*l.* But, there was an error of *a thousand* in the *addition*: so that, instead of 36,691 pounds a year, it should have been 36,291 pounds a year; and, with this exception, I here repeat my re-assertion of the truth of every part of my statement. Let us now go on to the *proof*, item by item, of what is denied.

1. } Stated in the Report, laid before the
2. } House of Commons, in June, 1808, at page 296.
3. } Not denied.
4. }
5. }
6. } Not denied.
7. }
8. }
9. } Stated in the above-mentioned Re-
10. } port at page 298.
11. — Stated in the above-mentioned Report at page 285.
12. — Not denied.
17. — Stated in the above-mentioned Report at page 294.
13. } Here the reader will see, that I say,
14. } ABOUT such or such a sum. And
15. } the ground, upon which I go, is this;
16. } that, a gentleman, who, as to the offices, No. 13 and 14, was the *agent* for CAPT. THOMAS COCHRANE, and *through whose hands the money transactions, relating to those offices, while held by Capt. T. Cochrane, passed;* this gentleman assured me, before I made the statement last year, and has again assured me within these three days, that the emoluments of those offices to Capt. T. Cochrane were in the proportion of 2,100*l.* a year for the two. Upon the authority of this gentleman the valuation of Nos. 15 and 16 were made; and, he has, within these three days, assured me, that his valuation was, as he is convinced, not at all beyond the mark.—

Where, then, has the author of the CIRCULAR ARTICLE found his grounds of contradiction? And, who but he would have had the impudence, the unparalleled impudence, to call upon any one to promulgate "*a retractation of my statement*"——But, come, let us now see what this cold-blooded impudence has produced.——Here it is:—"Neither Lord Castlereagh, nor any "of *his family*, hold any civil office of "emolument, or any pension under the "Crown, either in possession or reversion. "—His Brother, Brigadier-General Stewart, is Military Governor of Charles Fort "in Jamaica, the net profits of which are "600*l.* a-year, *paid by the Island.*—The "Marquis of Hertford's family hold the "following employments:—

	£.	s.
"IRELAND:—Prothonotary of the "Court of King's-Bench;—"Net receipt, see Report of "Finance Commit. May 31, "1809	6,849	0
"Clerk of the Crown, ditto	216	0
"Filazer ditto	536	0

"These offices were granted "in reversion to the present patentees in the year 1766, when "the late Lord Hertford was "Lord-Lieutenant of Ireland, "and came into their possession "about the year 1784. The profits arise from *fees paid by suitors "on law proceedings*, and have "been raised to their present "amount in consequence of the "late increase of business in the "Court of King's Bench in Ireland.

"Craner and Wharfinger of the "Port of Dublin, Net Receipt, "see Finance Report, as above	982	0

"The profits of this office "*arise from fees paid on imports "into the port of Dublin.* The "grant was made about the "same time as that of the preceding offices.

"Naval Officer and Harbour-master in the Danish Island "of St. Croix	733	15

"The profits of this office "*arise from fees paid on vessels* "frequenting the ports of the "Island.

"Commissioner of Excise	1,200	

"Total by Lord Hertford's
"family - - - - 10,516 15
"Held by Brigadier-General
"Stewart, as above stated - 600 0

£11,116 15

"The above statement requires little "comment; the misrepresentations in "question would have been hardly less "striking had they been made previously "to Lord Castlereagh's retiring from of- "fice, as he then held no other situation "than that of Secretary of State, the sa- "lary of which is 6,000*l.* a year; and if it "is to be assumed (for the sake of pointing "at an individual) that Lord Hertford's "and Lord Castlereagh's families are to "be considered as one and the same, it "nevertheless appears that even in this "view, the utmost that can be stated "as the aggregate *official* emoluments of "both families *(exclusive of military pay)* "does not exceed 11,116*l.* 15*s.* per annum. "Of this sum Lord Castlereagh himself "receives nothing, his family only 600*l.*, "and of the remaining 10,516*l.* 15*s.* the "sum of 8,583*l.* was granted by the Crown "*before Lord Castlereagh was born.*"——So, then, here are Nos. 5, 6, and 7 left out as not being of "*the family*" I suppose. But I assert that they are "some of the *rela- "tions* of Lord Castlereagh," and, that was the description that I before gave of them, as the reader will see by referring to the extract above inserted. I do not care whether Lord Castlereagh *owns* these people, or not; nor do I care who it was that gave them the public-money; I said they were some of his relations, and I still say that they are some of his relations, and that they receive, or somebody for them, the sums of money that I have put against their names respectively.——Oh, oh! What, we are only to reckon the NET PROCEEDS, then, are we? And, I am to be represented as a *falsifier of facts*, because I did not, in *January* 1809, notice the contents of a Report that was not made till *May* 1809? NET PROCEEDS, eh! ——Oh, no! This is a way that I should not have counted, even if I could, six months before it was hatched, have read the report of 31 May 1809. This is not the way that I count. When my money is taken away from me, I look only to my *cost* or *loss*, it being of no earthly consequence to me what becomes of it, how many or how few divide it amongst them. The Report, from which I took my information (and for which Report we have to thank Lord Cochrane), states, that the Prothonotary's Office in Ireland yields 12,511 pounds a year. But, I am now told, that the two Seymours *pocket* only 6,849 pounds a year. What is that to me, or to those who pay the money? They bring only 6,849 pounds a year to bag; but, do not the public *pay* 12,511 pounds a year? Do not the public *pay* that? Will the callous, stone-hearted, bloodless author of this article say that the poor Irish do not *pay* these 12,511 pounds a year? Where, then, is the difference to them, whether the money be all bagged by the Seymours, or whether it be divided between them and their underlings?——Just the same applies to all the other heads of emolument, not excepting the offices of Naval-Officer and Harbour-Master. What is it to the merchants and captains of vessels, who, finally, is the person that bags their money? This distinction is downright nonsense. It can impose upon nobody, capable of reasoning; and, as to those who are incapable of reasoning, such discussions as this have, on them, no practical effect.——Reader, do you observe in the Statement, upon which we are here remarking, certain little phrases, thrown in, as it were to explain the nature of the offices more fully, such as: "arising "from fees, *paid by suitors*, &c. &c."? The intention of these remarks is to cause it to be believed, that what the Seymours receive does not come out of the *public purse*. Just as if these unfortunate souls, called *suitors*, did not make *a part of the public*. Aye, and a part of it, too, on whom the hand of taxation should be laid very lightly indeed. MAGNA CHARTA says: "We will *sell* to no man, we will not de- "ny, or defer, to any man, either *justice* "or *right*."——Fees, paid to officers of the several courts for *real services*, are not only right, but necessary, provided they do not exceed the reasonable worth of the service; but, when we see it acknowledged, that the Seymours receive many thousands of NET profits out of the fees of a court, in which they do not pretend to give any personal attendance, what are we to think of it? This is so plain, that not another word need be said upon it. Nor is it necessary to say much in the way of exposure, as to similar little phrases, thrown in about the source of Lord George Seymour's revenue in the Danish Islands. The money is paid by *merchants* and *ship-owners*. Well; but what of that? It is *money*. It is paid by people under British sway.

It has cost the people of England blood and treasure enough to capture and hold the islands; and, if it be right to collect fees from ships coming into, or going out of, those islands, why not bring them *to the nation's account*; or, at least, give them to persons, who are performing, or have performed, something like real service to the nation? What reason could there be to give them to Lord George Seymour? How came Lord Castlereagh to select that particular person? Could he find no man, amongst all the thousands of old military and naval officers, on whom to bestow such an income? Nay, *why* did he *take a fourth part of them from Old Captain* (now admiral) *Pickmore*, who has spent nearly half a century in the service of his country, *in order to give them to his uncle Lord George Seymour?* Let him answer this question, if he can.——But, it seems, his *brother*, General Stuart, receives his sinecure salary, as "Military Governor of Fort "Charles in Jamaica;" it seems, that he receives his sinecure of 600*l.* a year from the island! it is "*paid by the island.*" Does this writer mean to make us believe, that the *dirt and stones* of Jamaica pay him. He may; but, we know, that the salary is paid by *our fellow subjects of the Island of Jamaica*; and we also know, that if they had not that sum to pay him, or any other sinecure man, they would have less need to call upon the mother country for assistance. In short, that man must have a strange notion of things of this sort, who does not perceive, that this salary, as well as all the other of the emoluments, whether they be called fees, or by whatever other name they may go, all come out of the *public purse*.——And, supposing the loss to be sustained wholly "*by the island.*" What reason is there for, what justice is there in, fastening this brother of Lord Castlereagh, *for life*, or, even for one year, upon the people of Jamaica, who, probably, never saw, and never will see his face? What had he done to merit it? What *reason* could the people of Jamaica see for giving their money to such a man *for doing nothing?*——Reader, mark the words "*offi-*"*cial* emoluments." That word was, I suspect, introduced for the purpose of avoiding the charge of direct falshood; for, I am very much deceived, if we shall not find some *pensions* behind. For that, however, we will take another week.——By way of conclusion, I must remark, that Lord Castlereagh's salary of 6,000*l.* a year, as Secretary of State, and his brother's salary, of 2,000*l.* a year, as Under Secretary of State, have *ceased* since my statement was made. But, I think, the public will be pretty well convinced, that those places were not *easily given up*. The brother's double employment was mentioned by me before it was given up, or, to all appearance, thought of being given up. He was, at one and the same time, *under Secretary of State in* Downing Street, *and a General upon the Staff in* Portugal; and, it was his *brother*, Lord Castlereagh, who appointed him to, and kept him in, both situations.——What do we want more? Is not this enough? Talk of being "*misrepresented*," indeed! Why, how is it possible to say of any men, in public trust, any thing more than this, which neither is, nor can be, denied.——Here I quit Lord Castlereagh's officious foolish partizans, for the present; but, if they *stir* again, I am with them in a moment.

Catholic Claims.—— In my last, at page 52, I inserted the very interesting letter of Dr. Milner, which will, I doubt not, have been read with great and general attention. In that letter the public will see the real grounds of the Catholic complaints, and the real cause of those heart-burnings, which have created that description of persons in Ireland, who, as was openly avowed in parliament, constitute "*a French Party*," in that unhappy country.—— The articles, which, upon this subject, I have lately published, seem to have *settled* the dispute. The whole matter has been brought into a narrow compass; within the compass of *an hour's reading*; and, so great has been the effect, that I myself have received letters from more than *fifty* persons (some of them *Clergymen of the Church of England*), thanking me for having *undeceived* them; and expressing their indignation at the arts which were made use of to keep the public in a state of ignorance as to the real merits of the question. I do, and I must feel very proud at this, and I am rather surprized, that the editors of other publications, who, I know, perfectly agree with me, as to this matter, at least, have not lent me, or rather the cause of truth and justice, their aid, upon this occasion, by giving, through their respective channels, circulation to the above-mentioned articles; especially as they must have observed, that I so frequently give circulation to such of their articles as appear to me to be likely to produce great and general good effects.

——*No-Popery* is now at a very low ebb indeed. I have received but one communication in her *defence;* and, as I wish to give her a fair chance (though she has never given any one a fair chance), I shall insert this communication immediately at the close of this Summary of Politics, offering here a few words (and not many are necessary) by way of reply thereunto. —— This advocate of No-Popery says, that I have stated two positions, as the grounds upon which the Claims of the Catholics ought to be acceded to; namely, 1st, *That such a measure would not be a violation of the king's Oath;* and, 2nd, *That, if it be a violation, the Oath has already been broken and disregarded by the privileges which his Majesty has granted to* FOREIGN *Catholics to hold military situations.*——Now, the reader well knows, that this was not my mode of reasoning; that these were not the *grounds,* upon which I urged the granting of the Catholic Claims; and, that, indeed, all that was said about the *Coronation Oath* was merely intended to show, that the putting forward of that Oath in opposition to the claims of the Catholics *must* have been an hypocritical trick, and that it was quite impossible to believe, that *the king* could have any of those "*scruples of conscience,*" which it had been so impudently pretended he had, upon the subject of Catholic Claims. —— Let us, however, examine what this advocate of No-Popery has said with respect to the *two positions,* which he professes to combat; and, for the sake of *clearness,* we will take the last first.—— Says he, I totally dissent from what you say about the Oath's being violated by the admission of foreign Catholics into the Staff of the army; and then he says, *that the oath is not so strict as that; that the king did not so interpret it when he granted those indulgencies to foreigners in the army; that the oath only forbids the king to do any thing that shall* ENDANGER THE PROTESTANT RELIGION; *that the king is to form* HIS OWN OPINION *upon all matters relating to his oath; and that, he would not violate his oath in granting* ANY *thing to the Catholics,* IF HE DID NOT THINK, *that such grant would* ENDANGER THE PROTESTANT RELIGION. —— Here, then, we have all that we could ask for. The oath does not bind the king to any particular mode of acting. The oath does not, as it is here explicitly confessed, withhold from the king the power of granting any thing to the Catholics. The oath binds *him* to nothing, in respect to this subject, but to the doing of nothing that shall *endanger the Protestant religion.* And, if the reader be satisfied; if the reader be thoroughly convinced, that the granting of the Catholic Claims would not endanger the protestant religion, he must, of necessity, conclude, either, that, to grant those claims cannot be regarded by the king as a violation of his oath, or that the king is under the influence of a wrong opinion.—— Then we come to the question: Who are *answerable* for what is *done,* or what is *refused,* in this case? This ANTI-CATHOLICUS is of the true *no-popery* stamp. He is for throwing the whole of the act of refusal, together with all its consequences, whatever they may be, *upon the king* PERSONALLY. This is the way this set of politicians have always acted. It used to be the custom to keep the king's person out of sight in all disputes about political measures; but, now, as often as it suits the purposes of this faction, he is dragged forward, with all the circumstances of age and infirmity, and held forth as the obstacle to such or such a measure. It is the king's *opinion,* this man now tells us, that is to settle what ought to be granted and what ought to be refused. If the king *thinks* that the thing proposed does not violate his oath, then he may agree to it: but, if he *thinks* that the thing proposed does violate his oath, then he cannot agree to it. This doctrine squares most delightfully with the maxim, *that the king can do no wrong,* and the two co-operating, leave the people with a truly enviable stock of *responsibility!* Well may the sensible part of the world laugh at us!——Well, now as to the other point, it has, I think, been proved most clearly, not only, that the granting of the claims of the Catholics, would not be a violation of the oath; but also, that it is impossible to believe, *that the king can think,* that it would be a violation of that oath. Now, what, in answer to this, is urged by ANTI-CATHOLICUS, who writes to me from Lincoln's Inn? Why, verily, that as it had been thought wise to exclude Catholics from the *throne,* it must be also wise to exclude them from the *Legislature.*——Let us stop here a moment, and make two remarks: 1st, that Lord Howick's bill did not propose to admit Catholics into parliament: 2d, that though Presbyterians are excluded from the throne, yet, they are admitted into parliament; and, though Quakers cannot mount the throne, they might, if they would, become members of parlia-

ment; and, further, that it is notorious, that the king has, in many instances, made dissenters members of the upper house of parliament. Very properly, no doubt; but, then, why object to Roman Catholics being permitted to enter the parliament; though, as was before stated, this has nothing to do in the justification of that pale and malignant hag, No-Popery; because the measure, against which she raised her wolfish yell, did not contemplate the admission of Roman Catholics into either House of Parliament.—But, says this advocate of the viperous hag, how could the constitution be preserved, if a *majority* of the House of Commons were Roman Catholics, and "if the "Catholics are to be emancipated, *what, "let me ask, is to prevent both Houses of Le- "gislature from being composed of a* MAJO- "RITY *of members of this persuasion?*"—— Reader, is not this unworthy of an answer? Can there be one grain of *sincerity* in the composition of the man who could put this question upon paper?——Such, then, are the miserable shifts, to which the advocates of the old hag are reduced. Hypocrisy will no longer serve their turn. They have now been *exposed;* and, they are trying what quirking and quibbling will do.——In the mean while, all men of sense perceive the danger, which threatens us through Ireland, unless measures of conciliation be speedily adopted. "Why," exclaims the old hag, "are not "the Irish *quiet?*" Yes, thou viperous hag, and are not the Dutch and the Swiss and the Italians and the Westphalians and Hamburghers and the Hanoverians; are not they all very *quiet?* And, yet you and your vile crew are constantly telling us, that all these people are *oppressed,* kept down by *force,* have their *voice stifled,* hate their rulers mortally, and *sigh for an opportunity to cast off their yoke.*

WM. COBBETT.

Botley, Jan. 18th, 1810.

COBBETT'S

Parliamentary Debates:

The Twelfth, Thirteenth, and Fourteenth Volumes of the above Work, comprising the Proceedings in both Houses of Parliament during the last Session, are ready for delivery. Complete sets from the Commencement in the Year 1803, may still be had of the Publishers.

CATHOLIC EMANCIPATION.

"Qui non obstat quod obstare potest, facere videtur."

Sir;—Upon the subject of Catholic Emancipation I perceive you admonish your Correspondents not to be prolix, as unless what they offer be short and concise, no admittance can be afforded them in your Register. Being aware of the latitude afforded me, I trust I shall not exceed the measure of the indulgence. I observe, Mr. Cobbett, that after very explicitly stating that you consider the cry of No-Popery to be mere artful cant and hypocrisy, you allege that the advocates of this No-Popery system build upon the pretext, that any further privilege afforded the Catholics would infringe upon the Coronation Oath, and prove a violation of what his majesty has been sworn to support: and, in order to try the validity of that argument, you have very fairly and properly submitted to review the words of the Oath itself. Having done this, you seem to contend for the manifest folly of the cry of No-Popery, and the consequent propriety of Catholic Emancipation, upon two grounds, viz. 1st, That such a measure (Emancipation) would not be a violation of the Oath; or 2dly, that if it be a violation, the Oath has already been broken and disregarded by the privileges which his majesty has granted to foreign Catholics to hold military situations. Now, Mr. Cobbett, in answer to your positions, which though they may boast the virtue of brevity, seem to me very deficient in logic, I shall say a few words. The arbitrary power which uniformly attended, and at length occasioned the expulsion of, the Stuarts, induced the people to consider the cause. Experience taught them, that the constant usurpation of their rights and privileges was the concomitant of Catholic monarchs: and this led to the very natural consideration, that the grievances of which they had so much cause of complaint, owed their birth in a great degree, if not solely, to the tenets of the Romish church. This occasioned the expulsion of the Stuarts in a direct line, being Catholics, and raised to the throne a collateral branch decidedly Protestant; and the Act of Settlement, pursuing the same course of reasoning, excludes from the throne any descendant not being a Protestant. Now, Mr. Cobbett, experience should seem to dictate, that the most effectual mode of preserving the constitution entire, is to

exclude from the legislature all persons of the Romish persuasion; because it would, as it appears to me, be monstrous and absurd to talk of the constitution excluding Catholics from the throne, if a House of Commons, which, in fact originated and effected that exclusion, should be composed of a majority of Roman Catholics; and if the Catholics are to be emancipated, what, let me ask, is to prevent both houses of legislature from being composed of a majority of members of this persuasion? I therefore, Sir, contend, and I think not on light grounds, that if it be expedient that the constitution should remain unimpaired, which declares the ineligibility of Catholics, as legislators and potentates, imperious necessity demands that they should not be emancipated. Now, Sir, with respect to the other position, that if Emancipation be a violation of the Coronation Oath, it has been already violated by the privileges afforded foreign Catholics to a certain extent, I totally dissent from it. The Oath is not, that Catholics shall have no indulgencies granted; it is not of that merciless and insensible description: His majesty did not so interpret it, when he granted the indulgencies alluded to:—The Oath both in language and spirit aims at restraining the monarch for the time being, from doing any act which shall endanger the Protestant religion or the Act of Settlement, which excludes Catholics. When therefore his majesty was called upon to dispense the privileges he granted, he was to consider how far a compliance would endanger either the one, or the other; and if he formed an opinion in the negative, it could be no violation of the Oath to comply with the solicitations;—but should his majesty be of opinion that the extension of privileges as now required, will produce either danger to the Protestant religion or the Act of Settlement, then, Sir, will the concession be a direct and unequivocal violation of the Coronation Oath. If such an opinion is entertained by his majesty, and I believe there are many able and disinterested men who do, then cannot the Catholics be Emancipated. I perceive, Sir, that you lay some considerable stress on other infractions of the Coronation Oath; but without entering into a discussion of topics of so discursive a nature, I apprehend you cannot mean seriously to contend, that if it be admitted that the Oath hath been disregarded in some particulars, it by any means follows, it should be altogether disobeyed. Mr. Cobbett, do I presume too much when I say that I have demonstrated your positions to be fallacious?—I am sure however, from your general candour, that you will not continue to advocate the Catholic cause, without first satisfying me that I am either incorrect in my deductions, or that I have mistaken yours; or by bringing, at least under consideration, other positions more tenable than those you have at present promulgated,

I am, Sir, yours, &c.

ANTI-CATHOLICUS.

Lincoln's Inn, Jan. 5, 1810.

BERKSHIRE MEETING.

On Monday, the 15th instant, a very numerous Meeting took place of the Freeholders, Clergy, and Inhabitants, of the County of Berks, in the Town-hall of Abingdon, pursuant to a requisition signed by a respectable body of Freeholders.—As early as twelve o'clock the Hall was completely crowded in every part, and about half-past one the High Sheriff, Sir T. METCALFE, having taken the Chair, proceeded to read the requisition. He stated that the meeting was called to consider of the propriety of addressing his Majesty on the present alarming crisis of public affairs. The objects that would present themselves would probably be two:—1st, Whether they should agree to address his Majesty at all, and 2dly, what the nature of the address should be? He hoped that every freeholder would be heard with attention, and reminded them that the humblest among them was as much entitled to that attention, as the richest individual in the county.

LORD FOLKESTONE then rose. Before proceeding to the business upon which they were called together, he thought it right to say a few words in consequence of what fell from the High Sheriff respecting the privileges of the freeholders to be heard for themselves. He agreed with that gentleman, as he supposed every individual now present did also, that a forty shilling freeholder was entitled to as much attention as any individual in the county; but he could wish to hear why the votes on all public occasions should be confined to a freeholder of forty shillings a year, or why it should not be extended to every individual landholder? It was his wish originally not to have a meeting of freeholders only, but of the whole county: the High Sheriff, however, had thought

differently, and convened the Meeting in its present form. In behalf of the freeholders under forty shillings, he claimed the privilege of voting, and he touched on this point thus early, that any freeholders present, if so disposed, might challenge the right of voting which he now claimed. —[A desultory conversation here ensued, and it seemed to be the sense of the meeting, that freeholders, of every description, should have the privilege of voting.]— Lord Folkestone then continued: he congratulated the meeting on the unusual circumstance of their being assembled at Abingdon—he could not help considering this as a triumph, since from the erection of a certain building at Reading, gentlemen had been accustomed to represent that town as a more convenient place for public meetings. He had heard it insinuated that the Sheriff's object in preferring Abingdon was, that popular objects were more likely to be obstructed there than at Reading. For his part he rather thought the reason was, that Reading being nearer town, made the people there better acquainted with the corrupt transactions which were carried on at the seat of Government.—[Here the High Sheriff interrupted his Lordship by saying, that he would have preferred Reading as the place of meeting, but he could not command the Town-Hall, and he would not condescend to ask a favour of any Corporation.—(Applauses)]—Lord Folkestone then proceeded: he conceived it impossible for any man, whether at Abingdon or at Reading, to object to the Address he meant to propose. When they considered the present state of Europe and of Great Britain, he did not think they would consider the epithet of alarming as objectionable; when they reflected in what hands the different branches of the Administration of the Empire were placed, and how persons in power conducted themselves, gentlemen could not but feel dismay and alarm. The recent annexation of Holland to France was sufficient to render the present moment alarming, but when we turned towards Spain and saw how little hope there was of the people in that country doing any thing for themselves—when we looked to the state of disaffection in which Ireland was placed by the impolitic and imprudent conduct of Ministers towards that country, we could not but regard the present state of the empire as perilous in the extreme. There was another circumstance which added to the dangers of the country, and which he hoped would not be lost sight of; he meant the introduction into these realms of numerous bodies of foreign troops. He hoped the meeting recollected the noble stand that was made by our ancestors in the reign of King William, when they opposed the introduction even of two or three Dutch regiments, whereas at this moment there were twenty battalions of foreign soldiers nourished in the country. *(Loud Applause.)* Another circumstance which added to the alarming state of affairs was the dissentions now prevalent in India: he would not enter at much length into this subject, because he did not as yet know whether to regard these disturbances as a subject of grief or congratulation—if we attempted to retain possession of India by arms, he could not help regarding it as a great calamity; but if we saw that the resources of the hostile powers were sufficiently great to forbid any attempt of that kind, he would consider it as a happy event. We had been told that our Indian territory was a great arm of the Empire; but, in his opinion, it was an arm of weakness. It was false to suppose that the wealth we derived from it was at all to be compared with what we lost by it: It was a perpetual drain upon our population, and must produce the most ruinous effects. It was extremely probable that the saying of Lord Chatham would speedily be made good, that Indian banners would be the ruin of the Country. —Another topic on which it would be necessary to dwell was our Expedition to the Scheldt. No armament had ever cost so much money to the Country. The number of men employed in the different departments amounted to above 100,000.— Over all these was set the name of Chatham—a name dear to the Country. All this mighty project ended, however, in battering down the walls of the inoffensive town of Flushing, and in the taking of Middleburgh, which had no walls at all. The Expedition sailed in the month of August; in twenty-four hours it reached its destination—it could have accomplished its object in a few days, but it was kept for months in bogs and marshes, subject to all the diseases of the country. He trusted that something would be done to find out where the blame lay; if in the planners, he hoped they would be punished; and if in the Commanders, they ought not to escape with impunity. But there was another still more disgraceful and calamitous expedition, namely, that

to Spain under Sir Arthur Wellesley. All present must remember the spirit of liberty that broke out in that country, and how by the influence of zeal and love of liberty, the Spaniards had succeeded in driving the French out of their country; they then introduced local Governments, and sent to this country for supplies—here their misfortunes began—the Ministers of this country did all they could to crush the rising spirit of freedom that was rapidly pervading Spain. Their first act of impolicy was to create one Central Government, instead of those local Governments which the people were bent upon establishing, and, what was more surprising, they compelled the Spaniards to proclaim Ferdinand VII, the very man who had betrayed his country to France. The spirits of the people soon began to flag, and then external assistance was resorted to. When our armies arrived in Spain, the people were as jealous of them as of the armies of France. This had been witnessed in the case of Sir John Moore, and one would naturally suppose that this was a lesson to Ministers. Another army, however, under Sir Arthur Wellesley, was driven into the same snare by his bold but rash conduct—he obtained a victory, but it was followed by all the consequences of a defeat; the army was left in an unwholesome climate, and were now about to return without having accomplished any thing. It was no wonder that these things should happen, when it was found that the men who had the conduct of affairs were quarrelling with each other, and yet were still permitted to send out expeditions. What remedy is left for the country, under these alarming circumstances, but to address his Majesty? If the answer from the Throne resembled that given recently to the Common Council of London, namely that no enquiry was necessary, he must suppose that Ministers had wilfully concealed the circumstances from his Majesty; for if he knew the ruin and contempt which they brought upon the country, he could not but be alive to their misconduct and to the complaints of his people. It was the duty of the meeting to tell his Majesty the truth—he reminded them, that every speech from the King was to be considered as the speech of Ministers, and therefore might be freely discussed. There was no doubt that some persons would advise the people to wait until Parliament met, and then lay their grievances before it, but what had experience taught us on the subject of Parliamentary enquiry? It was a notorious fact, that some how or other, Ministers had the power of commanding majorities in both Houses of Parliament. He conceived, therefore, that there was little to hope for from Parliament, and the only resource left to the people, was to address his Majesty and tell him their real sentiments. His Lordship concluded by reading the following Address:

"We your Majesty's most dutiful and loyal subjects, the Nobility, Clergy, Gentlemen, and Freeholders, of the County of Berks, beg leave to approach your Majesty's throne, with feelings of sincere attachment and devotion to your Royal Person, of anxious solicitude for the honour of your Crown, and the safety of your Dominions, and, at the same time, with sentiments of the deepest affliction, at the perilous situation of the public affairs of these kingdoms.

"It is unnecessary to remind your Majesty of the enormous burdens impressed on your people, for supporting the war in which we are engaged, of the species of taxation it has given rise to, novel in its principle, offensive and invidious in its collection, and oppressive beyond all example in its magnitude. Your Majesty has nevertheless seen that your subjects have patiently, and even cheerfully, submitted to sacrifices, as unexampled in the history of this country, as they have been injurious to numerous classes of its inhabitants, in the hope and confidence that the Councils of your Majesty, being directed by prudence and fidelity, the privations of your subjects would be but temporary, and that their zeal and sacrifices would be ultimately rewarded by the security of your Majesty's throne, the prosperity of your Dominions, and the confirmation of their own liberties and independence: It is, however, our duty, and our misfortune, to have it to state to your Majesty, that we discover neither wisdom, prudence, nor fidelity, in your Majesty's Advisers; that their acts are marked by every appearance of rashness, incapacity and folly; and that, under the government of persons so apparently inadequate to avert the dangers and difficulties, we see no end to our misfortunes.

"We humbly crave particularly to call your Majesty's attention to the fruitless efforts of your gallant army during the last year. Your Majesty's Advisers had for

their guidance and instruction in the last campaign in Spain and Portugal, the melancholy experience of the fate of the ever to be lamented Sir John Moore, and the sufferings of his brave followers, and yet a second British Army, superior in numbers to the first, and alike conspicuous for its gallantry and zeal, was sent there, and hurried into the heart of Spain, for no other purpose, than that of making a useless display of valour, and meeting its own destruction. We crave your Majesty's gracious attention likewise to the fatal expedition to the Scheldt, where the flower of your troops, without the opportunity of performing any exploit worthy of them, were permitted for months to perish by diseases peculiar to the climate, and which your Ministers must have known to be prevalent there at the time when they thus doomed your Majesty's troops to destruction. At the same time, we participate in the satisfaction which no doubt must be felt by your Majesty, when in contemplating these national disasters you observe, that the character of your army was every where exalted, and that its undaunted valour has always risen in proportion to the difficulties which it has had to encounter; a consideration, however, which must increase the regret, and aggravate the disappointment which these disasters have occasioned.

"It is with equal grief and shame we are compelled further to submit to your Majesty's attention that whilst the armies of your empire were perishing by famine and the sword in Spain, and by disease in Walcheren, your Majesty's Ministers, regardless alike of the honour of their Sovereign, and the dangers of the country, have consumed the time (which ought to have been exclusively directed to the public service) in the most disgraceful squabbles, intrigues, and cabals, and have not hesitated, by publishing their transactions to the world, to expose your Majesty's councils, and the character of your Government, to the ridicule and contempt of surrounding nations, and to prove themselves the faithless and unworthy servants of your Majesty and of the public. We humbly, therefore, supplicate your Majesty, that you will be pleased to constitute a most rigid inquiry into the causes of the calamitous issue of the two expeditions to Spain and the Scheldt, and we rest assured, that your Majesty will do all that is in your power to prevent the recurrence of similar disasters by bringing to condign punishment, the authors of our misfortunes. We cannot conclude this our humble Petition to your Majesty, without alluding to your Majesty's gracious answer to a similar Petition from the Mayor and Common Council of the City of London; in which your Majesty is pleased to refer the Petition to the wisdom of Parliament. We presume to say to your Majesty, that we have seen for years past, with the deepest concern, that attempts to procure Parliamentary enquiry upon the subject of our national misfortunes have, in all cases, been unsuccessful; and in the course of the last Session we witnessed, with not less astonishment than indignation, that a system was adopted, and almost proclaimed, of protecting public men from public enquiry—a system which is in direct defiance of the uniform practice of the best periods of our history, and the most undoubted and invaluable principles of the constitution. It is on this account that we presume to prefer this our Petition to your Majesty; in doing which we have the happiness to exercise that great and constitutional privilege which was attempted to be taken from our ancestors by the arbitrary and unprincipled advisers of the house of Stuart, but which was for ever secured to us by that glorious Revolution which produced the happy succession of your Majesty's family to the Throne of these realms."

Mr. Blandy seconded the motion for the Address.

Mr. Mathew Montague then rose. He rejoiced in the opportunity now given him of expressing his most cordial approbation of the important privileges given by the constitution to the people, of thus meeting together and publicly discussing the affairs of the state. He recognised, in its fullest extent, the right of the subject to petition the King, and he also approved of that Resolution of the Meeting which gave every freeholder, great or small, the privilege of delivering his sentiments. He considered such meetings as calculated to check and controul the King and Parliament, if either was disposed to trench on the liberties of the people. But while he recognised these true and undoubted English principles, he could not conscientiously say that it was judicious at present to discuss the state of public affairs in so full a meeting. (*Hear, hear!*) He thought that if the Meeting had been confined to a

smaller number of individuals, every purpose might have been answered. As it was, however, he hoped that Englishmen when addressed would consult their reasons as well as their passions. He would thus early say that he by no means came to the same conclusions with the Noble Lord as to the present state of public affairs, and he begged that the Meeting would hear him patiently what he said had reason in it. *(Much laughter.)* There was a sort of slur cast on Gentlemen who opposed popular addresses, and on this account he thought it necessary to profess that he had no selfish or sinister object to serve; his wish was to speak honestly and independently. When the Noble Lord spoke of the alarming state of public affairs, he perfectly agreed with him that they were alarming; but if affairs were alarming, let us beware of trusting to the representations of any set of men whatever; let us beware lest in the heat of the moment we awaken against each other feelings which should only be excited against the common enemy. One great cause of our alarm, was the unity, vigour and capacity which directed the Government of France; ought we not then to beware of throwing difficulties and dissensions in the way of those whose business it was to meet the mighty arm of France? With respect to Ireland, he saw no grounds for any alarm on that score; he considered that country as more tranquil at present than it had been in former times. As to the introduction of foreign troops, he did not think it fair to call to the recollection of the Meeting the antipathies of our ancestors to Dutch troops, particularly at a time when our own standing army was so small, that the King might have overturned the constitution and destroyed the liberties of his subjects, by means of a handful of foreign soldiers. With respect to the other causes of complaint against Ministers, the grounds generally taken, and indeed the broadest of all, was the failure of our foreign expeditions. He had no doubt, however, that when these expeditions came to be discussed in the proper place, namely, in Parliament, the people would be enabled coolly to judge for themselves: it was impossible, at a public meeting like the present, to enter into all the various views of policy which actuated Ministers in fitting out these expeditions. He would not attempt to enter into so wide a field. He did not flinch from the subject, because he dreaded to meet the subject; but he challenged the Noble Lord to say, whether in subjects of such importance we ought to lose that spirit of good fellowship and unanimity so necessary to carry us through our difficulties, on account of Ministers? He thanked God that it was not of any importance to the public at large who were Ministers—*(a loud laugh.)*—There were talents enough still in the country to supply the places of those now in power if they gave offence.—Gentlemen, said Mr. Montague, let us despise those men who talk of any set of men as fit to be Ministers—let us despise those persons, who, by appealing to the passions of the populace, think to gratify their ambition, if not their avarice. Gentlemen, do you suppose that Parliament will not institute a rigid enquiry into all the subjects of complaint that may be brought before it? Has Parliament ever been deficient in doing its duty?—*(Always,* exclaimed a hundred voices). What! Was Mr. Fox? (A. *They never listened to him.*) What do you mean—do you want to substitute yourselves for the Parliament? What is your ground of complaint? (A. *Its incompetency.*) I can't help that—*(Loud laughter).* What, are we better able to understand the various points connected with these expeditions than the Parliament? can we send for Lord Chatham or the Admiral of the Fleet? Has the Sheriff any power over them? In short, I deny that it is in our power to interfere except by overturning the State at once.—Is the Parliament to be put down, because certain gentlemen are out of temper with it? Do you believe, that, by endeavouring to destroy the bulwarks of the Constitution, we shall be better able to put down Buonaparté? Why is this violent and intemperate Address *(groans and hisses)* to be voted one week before the meeting of Parliament? I am for distrusting those who will not wait until Parliament meets. Do you believe that the King will dismiss his Ministers before he has consulted Parliament? Is he a stout-hearted Englishman if he does?——He believed that the present Parliament was as honest a one as ever sat in England. It introduced and established many of those liberties which we now enjoy; and if they are overturned, it must be by want of unanimity among ourselves. He would maintain that those who stood up to excite dissensions at the

present moment, assisted the enemy. He did not think, with a Noble Lord, that we should be bettered by losing India. Perhaps the Noble Lord would throw away the West Indies on the same ground!—With respect to our Expeditions: was it to be said, that, because they were unsuccessful, the grounds were impolitic or unwise? With respect to Spain, he did not think that the Government could have acted otherwise than they did. They could not know that the Spaniards were cowards until they were in the field with them.—"I next come to the dissensions among Ministers themselves. I admit that nothing could be more disgraceful, but I see no use in noticing them here.—This I will say, however, that those who quarrelled with each other were no patriots, and, thank God, they are now out. Of course nothing in the Address now proposed can apply to ministers on that score; and as for the Duke of Portland, we all know that he is out, done, gone, dead—(much laughter).—Those who remain are not the men who planned or executed the expeditions so much talked of; but if any of them do remain in the Cabinet, let them answer for it. I can see no other object in this Address, than the dismissal of Ministers, with this addition, that its language tends to degrade and supersede Parliament. I see nothing but the advantage of the enemy in this Address. Happy and glorious will be the day to Buonaparté when he sees in Leave the business to Parliament, and if they don't take it up, let us meet again. And now, for the information of those who may vote with me, I must explain that I do not ask them to reject the Address, but only to hang it up until its objects can be more effectually attained. I never knew any Ministry so little supported by strength of party as the present. Was there any difficulty in punishing the King's son! aye, and perhaps his favourite son too?" (*How* did *you vote, Mr. Montague, on that occasion?* said a freeholder.—No answer.) He concluded by exhorting the freeholders to suspend the expression of their sentiments until they saw what Parliament would do.

Dr. Barry said he agreed with the last speaker in the propriety of withholding the declaration of their sentiments until after the meeting of Parliament. He did not see what business the County of Berks had to resent the indignity which the City of London had received from Ministers. He had a better opinion of Parliament than the Noble Lord, and if Ministers had done wrong, he thought they should be brought to account in a constitutional manner. The Rev. Doctor pronounced a warm panegyric on Ministers, for their forbearance in not suspending the Habeas Corpus Act, and for permitting the undiminished exercise of the liberty of the press. With respect to these expeditions which had been called rash, it ought to be recollected that rash enterprizes were sometimes successful—Their system of taxation was very considerate. (*Loud laughter, mixed with hissing.*)

Mr. Hallet warmly supported the Address. He declared it to be his firm conviction, that the country could not be saved without a reform in Parliament—(*Loud applauses*).—Lord Castlereagh openly avowed that he had trafficked for a Seat in Parliament, and yet they did not turn him out; and although the same Parliament was told that two of the King's Ministers had frightened a Member out of his seat, because he had the boldness to tell them he would vote in the Duke of York's business according to his conscience, yet the offenders were not expelled. He concluded by assuring the meeting that he was no party man—there was no title, no distinction, and no gift, which he would accept of at the hands of his Majesty's Ministers, nor would he touch a farthing of the public money, however circuitously it might be conveyed to him.

Mr. Croft said a few words in support of the Address.

Mr. Marsh (of Reading) deprecated the line of policy pursued by Ministers towards the Catholics of Ireland. He then animadverted successively on the expeditions to Copenhagen, Spain, the Mediterranean, and the Scheldt. The puny efforts made to create diversions in favour of Austria and Spain, resembled the demolition of a gingerbread giant by a school-boy, who generally began by nibbling off his toes and fingers. (*A laugh.*) He thought the indignity offered by Ministers to the City of London, was a mean attempt to throw the hatred of the people from themselves upon the shoulders of our gracious Sovereign. Such conduct would produce more Jacobins and Whigs than all the Tom Paines that ever lived.—Their only care was to keep peace with a Borough-monger. (*Hear, hear!*) "What (said

Mr. Marsh) are we to sit down quietly and trust to the investigation of Parliament, after the specimen they gave us of their integrity in the Duke of York's business?—Did they not gravely tell us, that there was neither corruption nor connivance at corruption!—but did the People believe them? No! He was certain that nine hundred and ninety-nine, in every thousand individuals in the Country, were of a contrary opinion. He trusted that the Country would always be able to defend itself, both against foreign and domestic foes. The ancients had represented Liberty as a beautiful nymph, and worshipped her as a goddess; and like most ladies, she required a little watching (*a laugh*). Our ancestors celebrated her rites every three years; but septennial Parliaments were soon introduced, and the homage paid by Parliament to her shrine became less fervent.—He concluded, by saying that he had no doubt the Prince of Wales, who had not received a German education, but was an Englishman every inch of him, would tell his father, that the people of this country were not to be goaded too far without resenting it.

Mr. Deane, of Waltham, supported the Address. He went into a long detail on the subject of the Assessed Taxes, and was heard with much attention.—In the course of his speech he stated that, the Surveyor under the Assessed Taxes had recently surcharged a gentleman who kept a Tax-cart, because he had the luxury of a cushion on the seat of it. He supposed that if a man was to sit in a Taxed-cart with stuffing in his breeches, the Surveyor would tell him, that under the Act he had no right to wear breeches in a Tax-cart. Mr. Deane concluded with a motion, which was unanimously carried, to instruct the County Members to apply to Parliament for a repeal of that part of the Assessed Tax Act, which vested the powers of deciding on appeals, in the hands of Commissioners appointed under the Act, and took it out of the Courts of Law.

Mr. Goodlake supported the Address, in an animated and energetic speech. Alluding to what had fallen from Mr. Montague, respecting the present being an ill-timed Address, that was an old and stale trick with the friends of Ministers at all public meetings. What had fallen from Mr. Deane on the subject of the assessed taxes, proved that no complaint could be ill-timed. Much had been said of our distant calamities, and he trusted the effect of the present Address would be to induce his Majesty to do his utmost to check corruption in the Parliament, and redress the grievances of the subject. With respect to the assessed taxes, he could say from his own experience, as a Commissioner under the Act, that the Inspectors and Surveyors had arrogated so much power, and behaved so insolently, that he had ceased to act as a Commissioner of Taxes while the oppressive and arbitrary clauses were in force.

Mr. Sills, of Abingdon, said a few words in support of the Address.

Lord Folkestone shortly replied. He called upon the hon. gent. (Mr. Montague) to tell the meeting who the men were who were actuated by motives of ambition and avarice in calling the present meeting? (*Name! name!* resounded from all parts, but Mr. Montague made no answer.) His Lordship then read a Resolution of the House of Commons in 1680, expelling a Member for calling in question the right of the subjects to petition.

The question being then called for, the Sheriff desired those who meant to vote for the Address to hold up their hands, when all, except a very small number, voted in this manner, and loud acclamations resounded through the Hall. Three or four only held up their hands for Mr. Montague's motion against the Address.

Mr. C. Dundas then rose, and stated, that it gave him much satisfaction to declare, that he perfectly coincided with the sentiments of the Address that had been voted. On the subject of the grievances under the Assessed Tax Act, he could assure the Meeting, that he would be happy to listen to any complaints that were made to him, and would cheerfully bring them before Parliament.—This speech was received with great applause.

It was then resolved that the Address, and the King's Answer when received, should be inserted in the County, and in all the London Newspapers, and the Meeting broke up about five o'clock.

LONDON:—Printed by T. C. HANSARD, Peterborough-Court, Fleet-Street;
Published by R. BAGSHAW, Brydges-Street, Covent-Garden:—Sold also by J. BUDD, Pall-Mall.

COBBETT'S WEEKLY POLITICAL REGISTER.

VOL. XVII. No. 4.] LONDON, SATURDAY, JANUARY 27, 1810. [Price 1s.

" Many public Officers and Accountants have raised *great Estates* to themselves, at the expence of " the Public, when it is evident they have had no lawful means to attain them: and several persons, " whose duty it was to *hinder* such Exorbitancies, measuring their requests rather by their own avarice " than by their merit, have obtained for themselves Grants to such a value, as in foregoing Reigns have " been esteemed large Supplies towards great and public services: which has been another great cause " of the *Debt* that lies upon the nation. This general mismanagement of the public affairs did actually " spread itself over the whole kingdom, and seems to be owing to a disposition of Offices and Places, " where men were rather chosen *for their inclinations to serve a Party*, than for their *qualifications to* " *serve the Public*. And these men being conscious to themselves of the *many Frauds and Offences* " *committed against the Public, have no other hopes to shelter themselves from Justice*, THAN BY " TAKING AWAY THE REPUTATION OF THOSE WHO DESIRE TO DO RIGHT TO THEIR " COUNTRY BY DETECTING THEIR INIQUITIES; and being UNITED IN GUILT AND IN- " TEREST, they endeavour to *amuse* and *impose upon* those, whose posterity, we have too much reason " to fear, will *groan under* the sad effects of the wickedness of the one, and the too great credulity " of the other. We cheerfully depend upon your Majesty's wisdom, that all our Grievances, by your " grace and favour, will, in due time, be redressed and removed, by PUNISHING those, who have been " the cause of them, and by entrusting none in the administration of public affairs, who, for their own " private advantage, have manifestly contributed to the calamity of their Country."——ADDRESS OF THE HOUSE OF COMMONS TO QUEEN ANNE, in 1702.

SUMMARY OF POLITICS.

PECULATION.——Is it possible to read the Motto to this Number, without making a comparison between the House of Commons in the reign of QUEEN ANNE and those in this Jubilee Reign? When have we, during this reign, heard such language from a House of Commons; and, shall we ever hear it again?——This language was addressed to Queen Anne the first hour, as it were, of her coming to the throne; and the consequence of it was a reform in every department of the public expenditure; but, the Dutch King had contracted the *Debt*, the all-enchaining and all-corrupting Debt; that curse remained, and it has gone on increasing in mischievous effects, as well as in its amount, until the nation is in that state, which the original opponents of the Debt foretold that it would be.—— But, if in the reign of William III. Peculators *bought estates* with the public money; if this was, at that time, a subject of complaint, what would the same House of Commons have said, if they had existed *at this day*, when a sum equal to the whole of the taxes raised, in the reign of Queen Anne, annually, would scarcely supply the annual amount of waste?——In this Address of the House of Commons to Queen Anne, there is a passage; whence the reader of the present day will clearly perceive, that *Public Robbers* have always played the same tricks, and especially the trick of calumniating, in all manner of ways, those persons, who have endeavoured to detect their villainies. " These men," said that truly Honourable House of Commons, " These men, being conscious to them- " selves of the many frauds and offences, " committed against the public, have NO " OTHER HOPES TO SHELTER " THEMSELVES FROM JUSTICE, " THAN BY TAKING AWAY THE RE- " PUTATION OF THOSE WHO DE- " SIRE TO DO RIGHT TO THEIR " COUNTRY BY DETECTING THEIR " INIQUITIES."——Reader, need I point out to you the recent cases, wherein the conduct of the Public Robbers of King William's reign has been so happily imitated? I had not this Address in my mind, nor do I know that I had ever read it, when, last summer, I observed, with respect to the garbled documents and other publications respecting ME, that, in blasting the reputation of those who endeavoured to expose them, consisted the only hope of the Public Robbers " *to shelter* " *themselves from justice.*" I gave this sentiment to the reader in almost the very words, in which it had been expressed to Queen Anne a hundred and seven years before by a House of Commons famed for its wisdom and its integrity.——It is of the greatest possible importance, that the public, that the *people in general*, should bear this sentiment in mind; and should be *constantly upon their guard* against the various arts, which are, and which always will be, made use of by the Public Robbers, for the purpose of destroying the reputation of those who have the spirit

to expose their robberies. "Being," said that wise and virtuous House of Commons; "Being UNITED IN GUILT AND IN-"TEREST, they endeavour to amuse and "impose upon those, whose posterity, we "have too much reason to fear, will "GROAN UNDER the sad effects of the "wickedness of the one, and the credu-"lity of the other."——Alas! how fully has this fearful prediction been realized! We do, indeed, *groan*, literally, groan, under the burdens, which have grown out of that system of peculation, of the first rise of which this House of Commons complained; and, let us always bear in mind, that this terrible system never could have got to any head, had not the people been credulous enough *to listen to the calumnies*, which the peculators propagated against the enemies of peculation. "*United in guilt, and interest*, they endea-"vour to *amuse*, and *impose upon* the peo-"ple." Just as they do now. Exactly as they do now. Only now, the times are such, that the longer success of such endeavours must inevitably sink this nation into a state, not of what is commonly called *ruin*, but of actual submission to a foreign yoke. The people have, in fact, been their own undoers, not intentionally, to be sure, but still they must take a great share of the blame to themselves. They have been the instruments, the tools, in the hands of others; but, it must be confessed, that, in but too many instances, they have been the *willing* instruments. There can be no doubt, in the mind of any rational man, that the City of London; that the tameness of that City; that its having been made a mere instrument in the hands of the minister of the day: there can be no doubt, that this City, thus made use of, has been a principal cause of the present dangers of the kingdom. The people of the City of London were *amused* and *imposed upon*; they were persuaded to believe, that "all those who desired to do right to their country" were jacobins, levellers, republicans, rebels, traitors, sans-culottes; no matter by what, or by how many names, those persons were called; the people of the City of London were persuaded to believe, that all such persons were *enemies of their country*. Charge any man with frauds and offences against the public; why, what was the answer to you? "You are *a jacobin*, and want to "overturn all *order* and *government*." Such was the answer, which, for years and years, was received by that truly excellent man, Mr. Waithman, who has lived to see arrive all, yea all, the national calamities that he, from time to time, predicted, and many others, which neither he nor any other man could have possibly imagined. For many years, Mr. Waithman was called a *jacobin and leveller*; he was so called because he made a motion to address the king for an inquiry into the shameful failure at the Helder. Nay, as often as he rose his voice against any act of folly or corruption, or national mismanagement of any sort, so often was he called a jacobin and leveller.——What was the natural consequence of this cry, to join in which a great majority of the City were persuaded? what was to be expected from this? Not, perhaps, that Mr. Waithman would give the thing up, that he would retire to his home in disgust, and abandon his country to its fate: this, perhaps, was not to be expected: but, it was to be expected, that many many others, though entertaining the same sentiments as Mr. Waithman, but having less political courage, would be deterred from coming forward. There are very few men, who have the courage to meet such a host of slanderers as were set to work upon Mr. Waithman. The mere time and labour of giving a simple negative to each of their downright Lies are more than any man has at his command. If, during three months of the last year, I had written only a simple assertion, in contradiction to every Lie that was, during that time, published against me, it would have taken up *the whole of my time*. No wonder, therefore, that men, in general, should be afraid of exposing themselves to such a swarm of calumniators!——The wretches, who are employed for this purpose, *are afraid of no consequences*; they have nothing to apprehend; they themselves have no character to lose; from the nature of their office, they must be destitute of all sense of honour and of shame; and, generally, their associates are of the very worst description of men and women. But, while they are, from these causes, quite fearless and callous, the world do not know, and cannot know, that such is the case. Whatever gets into print carries *some degree* of credit with it; and, it is next to impossible, that, by *some part* of the people composing a whole nation, the calumnies, though pure inventions of such wretches as I have described, should not pass for *truths*, and should not produce, at least, some effect, upon the minds of a

part of the people; and, as no good man, no man of proper sentiments, can, without pain, know, that he is looked upon, by a considerable part of his countrymen, as being *a villain;* so, there are very few men indeed, especially if they have families whose feelings also are to be consulted, who can muster up the courage to expose themselves to the torrents of lies, which are sure to be poured out against them, the moment they openly declare themselves the enemies of public robbery. For my own part, I have now been so long used to bear the calumnies of these miserable wretches, and am so happy in the conscious innocence, good sense, and fortitude of those, whose uneasiness under a participation in such calumnies could not fail deeply to affect me, that I care nothing at all about any thing that is said against me, through such channels. I know, that there is a certain part of the people, who believe that I am what the advocates of the Public Robbers describe me to be. Very many there are, who, from a refinement in baseness, only *affect* to believe it; who *know* better, but, who are very desirous that others should continue in error. But, after all, I know, that there are, and that there must be, a great number of people, who do sincerely believe, that I am what the advocates of the Robbers describe me to be. Well; I cannot help this. It is no fault of mine. I know, that the greater part of well-informed people are perfectly convinced, that all that has been said against me by these knaves is false. And, then, I have always perceived, that one effect of such abominable falsehoods being published against me is, to create inquiry, personal inquiry, into my character, and my conduct in private life; and, such inquiry has produced a wonderful impression in my favour. Another effect of the calumnies against me has been to bind my *friends* more firmly to me. They, at any rate, well know how false and how malicious are the charges alledged against me by the advocates of the Robbers: they must, of course, feel indignation at those charges; and the effect of that indignation is an increase of attachment to me. So that, upon the whole, if one can but bring one's mind to be tranquil under the knowledge, that one is thought ill of by a considerable part of one's country-men, one gets nearly as much as one loses by the calumnies. But, how few men are there in this, or in any country, who can be brought to view the matter in this light! In this light, however, a man must view it, and upon these principles must he act, or, as to any hostile movement against corruption, or public robbery, he had better remain quiet. It is, as we see by this Address to Queen Anne, the lot of him "*who desires* "*to do right to his country,*" to have his "*reputation taken away,*" if possible, by those, who, out of the public raise great estates to themselves; by those who have raised great estates, when, it is evident, they have had no lawful means to attain them; by those, who, being united in guilt and interest, endeavour to amuse and impose upon the people. This, we see, is the *lot*, the inevitable fate of that man, be he who he may, that "*desires to* "*do right to his country.*"——When I first cast my eye upon the passage, "being "*united in guilt and interest,* &c. &c." I could not help thinking of the she-peculators and robbers, who as they came down into this county, last summer, tossed the forged documents and base calumnies against me down in the streets of the towns and villages, through which they passed. "United in *guilt* and *in-*"*terest;*" haunted by the double dread of *punishment* and *poverty;* such were the wretches, who published and circulated against me the calumnies of last summer; and such are the wretches, who are now, by all the arts that craft and malice can devise, endeavouring *to take away the reputation of Mr. Wardle.*——To return a little to the Address (which is a document well worth our attention at this moment;) we see, that the House of Commons spoke out plainly about the Estates that men had acquired, without having had *visible lawful means of attaining those estates;* and to be sure, nothing can be more just, or more reasonable, than that, when you see a *public officer* or *accountant* rearing great estates, *without having visible lawful means*, you should inquire *how he came by such estates.* Is there any gentleman, who should see his steward purchasing estate upon estate, and who knew, at the same time, that the steward had no means of his own wherewith to make such purchases; is there any gentleman, so circumstanced, who would not instantly set on foot an inquiry as to the source of the funds employed in purchasing the said estates? The answer is ready: There is no gentleman, not a downright fool, or a careless prodigal, who would not set on foot such inquiry. If a poor girl be

seen with a gown or a pair of shoes finer than she can be expected to have bought with her own means, and at the same time, with a gold watch, or some other trinket, she is carried before a justice of the peace to give an account of the means by which those fineries got into her possession. And, why, let me ask, is not a public officer, or accountant, to be made to give an account of the means by which his estates have been so suddenly attained? ——Well, but how were sentiments, such as these, relished by QUEEN ANNE? What did she say to a parliament that held such language to her? Did she give an answer discovering a partiality for the Public Robbers, of whom the House of Commons complained? Did she shew, that she loved such vermin? or did she shew, that she hated them?——She said: "I shall con-"sider the several particulars of your Ad-"dress, and *always have great regard* to the "representations of the House of Com-"mons, and to the true interests of Eng-"land." And she was as good as her word; for she, with *sincerity*, set to work to reform abuses, to punish peculators, and to set, in her own manners and conduct, an example of moral virtue, and of œconomy without loss of dignity. Out of her own revenue she voluntarily gave large sums, in order to make up for the falling off of the public revenue; and, in her Speech at the conclusion of the first Session of Parliament, held in her reign, the *war* having then begun: "I must not con-"clude," said she, "without acquainting "you, I have given directions, that *my* "*part* of all the Prizes, which have been, "or shall be, taken during the war, *be ap-"plied entirely to the public service*; and, I "hope my own revenue will not fall so "short, but that I may be able, as I desire, "to contribute yet further to the ease of my "people."——She *did* all this too. These were not *empty professions*; and, it has, with great truth, been observed, that her *honest* and *fair dealing* towards her people, was one of the greatest glories of her glorious reign. She was no *hypocrite*; her heart was truly English; and, during her reign England attained a height, from which, I have always thought, she has since been sinking. Never can she rise again, unless there be a House of Commons to act upon the principles expressed in the Address, part of which I have taken for my motto, unless there be a House of Commons, who will act a faithful part towards the people, and *punish*, really punish, all those who shall be found to have committed frauds upon the public purse, no matter in what way it may have been done.

PARLIAMENT.——The Session which opened on Tuesday last, the 23rd instant, has discovered, to those, who believed, or pretended to believe, that the Ministry would be left in a minority, that even *this* ministry can command a majority as well as any other.——The KING'S SPEECH and the ADDRESS, will all be found at the end of these remarks. There is nothing, which, at present, I shall remark upon in the *first*; and the *second* is, as usual, a mere echo of the first. The Amendment was as follows: After the word "*That*," in the second paragraph of the speech, to insert these words:——"That we have seen "with the utmost sorrow and indignation "the accumulated failures and disasters "of the last campaign, the unavailing "waste of our national resources, and the "loss of so many thousands of our brave "troops, whose distinguished and heroic "valour has been unprofitably sacrificed "in enterprizes, productive not of advan-"tage, but of lasting injury to their coun-"try—Enterprizes marked only by a re-"petition of former errors, tardy and "uncombined, incapable in their success "of aiding our Ally in the critical mo-"ment of his fate, but exposing in their "failure his Majesty's Councils to the "scorn and derision of the enemy.—— "That we therefore feel ourselves bound, "with a view to the only atonement that "now can be made to an injured people, "to institute, without delay, such rigorous "and effectual inquiries and proceedings "as duty impels us to adopt, in a case "where our country has been subjected to "unexampled calamity and disgrace." This is very good; exceedingly proper; nothing could be more true; but, for all that, there were, in the House of Lords, only 92 for it, while there were 144 against it; and, in the Commons, there were only 167 for it, while there were 263 against it; leaving the ministers a majority of 52 in one House and of 96 in the other.——Well, then, MR. WINDHAM, what do you now think? You still think, of course, that there needs *no reform of the parliament*; but, pray, admit, then, *that the ministers are right*; or, at least, that the nation, through its competent representatives, think the ministers right.——The Anti-Reformists, who were for this Amendment, must now be strangely puzzled. I give them joy, with all my heart, of this

decision *against inquiry*, and, in order to console them, I beg leave just to remind them of *their* vote *against inquiry*, in the case of Mr. Madocks's Motion, relative to the seat of Mr. Quintin Dick, and the censure, which some of them then bestowed, with no sparing hand, upon all those, who were anxious for inquiry upon that subject, a subject of ten thousand times greater importance to the people of England, than the subjects, as to which they now voted *for inquiry*.——As to the present case, however, I can discover no argument at all against the Amendment, and, if objectionable, it was so only upon the ground of its leaving in existence *any part* of the original motion, every word of which, except the first word "that," I would have swept away.——It was said, by some, that the censure, contained in the amendment was *premature;* that it condemned the ministers *unheard*. Why, there they were to be heard; there they were to speak for themselves; there they were to defend themselves. And, besides, is not what is stated in the Amendment *notoriously true?* Is there any one of its assertions, of the truth of which any man in this kingdom has the smallest doubt? And, if this was the case, what occasion was there for any previous steps? What had the Houses to do but to come to a vote upon the subject at once.——I have not time to enter into remarks, at any length, upon the Debate; but, I cannot help taking an extract or two from the speech of the Hon. Mr. Ward, who seconded the motion for the Amendment, and from the speech of Mr. Whitbread.——Mr. Ward said: "If the Parliament was ever to act, "it should act at the present moment: "and if it should not act now, he was sure "*it would not act at all.* If that House "were to resign its inquisitorial power as "to the acts of any set of men, and to re"nounce the salutary controul which it "used to exercise over the Servants of the "Crown, it would, he was convinced, be "*a proof of the decay of parliamentary virtue,* "and an unerring symptom of the decline "of the true spirit of the constitution. It "was matter of astonishment, that after "such a series of unexampled calamities, "his Majesty's Ministers, over the greater "number of whom the terrors of impeach"ment were impending, should dare to "remain in office *(Hear! Hear!)*. But "if Parliament should, without any re"gard to their past conduct, think proper "to give its support to such rulers, or lend "its sanction to such measures, *nothing "could more clearly evince that silent but ac"tual and alarming change, which was said to "have taken place in the British constitution*. "nothing could more indisputably shew "the resemblance between the govern"ment of this country and those old go"vernments of Europe, which, weighed "down *by the influence of corruption and im"becility*, fell successively a certain and "easy prey, to the superior wisdom and "energies of the power which has enslaved "them."——Well, then, Sir, we take you at your word. Parliament has, in its vote of that night, given its support to "such "rulers;" nay, it has, by a decided majority, given all the *proofs*, of which you spoke. Well, will you join us, then, Sir? Will you ask for *a reform* of that parliament? I do not recollect having seen your name amongst those of the few members, who, in the last session, voted for a resolution upon that subject. What *is* to be done then? You say, Sir:—"At this mo"ment the whole power of France, which "engrossed the whole means and resources "of Europe, was at the command of that "great and consummate general and "statesman, who contained in himself all "the shining qualities of those men, who, "at any time, by their talents, rendered "France formidable to this country; who "united the policy of Richelieu with the "military genius of Turenne, and added "the inordinate ambition of Louis XIV, "to the enterprise and activity of Conde. "When they reflected upon all this, "they must be sensible of the infatua"tion of trusting to any thing but the "combination of all the ability and "wisdom in the nation for a successful "resistance to the great and extraordinary "power against which we were opposed. "In his heart, and without the slightest "party feeling or partiality, he looked to "the gentlemen below him—(on the Op"position Benches) for that combination "of wisdom and experience, which alone "could be effectual for the salvation of "the country in its present critical cir"cumstances. He was convinced that, "in coming into office, they would be in"fluenced by no unworthy motives. They "would succeed to shattered means, to "exhausted resources, and to unsuccess"ful armies. They would succeed to "dangers and difficulties, which would "appal the firmest hearts—dangers and "difficulties, which no emoluments of "office, or pride of party-victory, could

" adequately or at all compensate. The " time was not distant when the last trial " would be to be essayed; and he con- " jured the House not to spurn at its own " safety, by omitting to make provision " for it in time. Sure, *however, he was,* " that it could never be preserved by a " continuance in the same system: that " it could not be maintained by a system " which was something weaker than im- " beciility—by men who offered them *no- " thing but their ignorance and intolerance.* " That House, he was confident, would " *never suffer the State to be ruined in such " hands;* and if it should be the will of " Providence that this empire should fall, " he trusted that it would not be left to " sink under its own weight, but fall in a " manner worthy of its ancient character " and power "——What is to be done, then? The House do like these same ministers. They have voted them to re- main in place. What are we to do, then? This is what I want to know from all you, who, at one and the same time, tell us, that the country must be ruined if it re- mains in the hands of the present mini- sters, and that a reform of the House of Commons would also ruin the nation. Pray do tell me, then, *what* we are to do? This is what you say: if the House sup- port the present ministers, the nation must be ruined; the House do most decidedly give its support to the present ministers; and, yet you will not join us in asking for a reform of the House. To be sure, such a series of acts never was before a subject of discussion, in any assembly upon earth. Faults and follies of all sorts and sizes, and, arising directly out of these calamities, so ex- tensive, and of so distressing and disgrace- ful a nature, and foreboding consequences, enough to appal the stoutest heart. Well, here are all these acts, and this state of things, well understood long before the House meets; it is proposed in the House, to *censure* the persons, who have been guilty of these acts; and the House, by a decided majority, say NO to that proposi- tion. But, Sir, if you tell us, that that House stands in no need of reform; if you tell us, that that House is an adequate re- presentative of the people of England, Scotland, and Ireland; if you tell us that that House speaks the voice of the nation, then, Sir, you have no reason to complain, but ought, in silence, to acquiesce *in the decision of the nation.*——Of Mr. Whit- bread's speech I should like to insert the whole; but must content myself with the conclusion of it, as reported in *The Times* news-paper.—He said, " He could not help " now alluding to the very extraordinary " transactions which had taken place in our " Cabinet; but before he did so he must " *notice some expressions* of the right hon. " *gent.* (Mr. Canning) which had much " delighted him. He had said that in a " good cause he would seek the assistance " of men of all religions: the Turk and " the Christian, the Jew and the Pagan, " were to him, politically considered, " equal.—No doubt then, now that he and " the noble Lord were emancipated from " the shackles of bigotry, they would unite " with the friends of toleration in support " of unlimited religious freedom *(hear, " hear!)* He wished particularly to know, " why Lord Wellesley delayed so long in " this country after his appointment to the " Spanish embassy. He was particularly " anxious to know this, on account of a " paragraph which had appeared in a well " known publication, stating that " had it " " not been for a fit of illness, the noble " " Marquis would have been long since in " " Spain."—Now it was well known, that " the right hon. gent. wished to incorpo- " rate Lord Wellesley in the government at " home, and he had only to hope that this " interested feeling did not occasion his " Lordship's protracted delay in England, " when he should have been fulfilling the " functions of his important mission. On " this subject he should hereafter demand " an explanation from the right hon. " gentleman. To Spain, however, at " last, the noble Marquis went, and there " what were his services? Why, *he went " through the mummery of dancing on the " French flag!* He did more; he visited " the Junta, went through all the routine " of etiquette and politics, made a speech " about reform, took his glass after dinner, " and religiously *toasted the Pope! (Hear, " hear!)* It was surprising indeed, to see " him so soon returning after his *flirtation* " with the " *Whore of Babylon,*" at Cadiz! " On his return, of course, when the places " were going, he came in for his share, and " made one of the Administration; an Ad- " ministration the Members of which could " not have been distinguished, had it not " been for the motions that day, for the issu- " ing of writs. It was made up indeed, by " a kind of political ballot—one gentleman " (Mr. Dundas) had gone the entire cir- " cumnavigation of office, from the Board " of Controul to the Irish Secretaryship! " On that day a writ had been moved

" tendering his seat vacant, in consequence " of his receiving a situation which he be- " lieved was not yet in his possession !— " The Right Hon. Gentleman had, how- " ever, at length compiled an adminis- " tration: and, indeed he had fully shewn " that, supported by the favour of the " Court, he felt little fear in stemming the " authority of the people. *(Hear!)* But " how did the Right Hon. Gent. proceed " to form even this Administration? Why, " the very first application he made was " to a dear friend of his, and a Noble Lord " with whose principles he had been at " war all his political life. This tender " was rejected by them in a manner wor- " thy of their dignity, and the rebuff " which they gave the Right Hon. Gen- " tleman would have daunted any man of " less temerity than himself. There was " not a man in the country, from the " Orkneys to the Land's End, who did " not pronounce him and his Administra- " tion weak, incapable, and inefficient. " Even with the addition of the two col- " leagues who had deserted them, they " were feeble, but they then stood on a " principle, or rather in opposition to a " principle; *(hear, hear)* but now rejected " by all who were worthy, the weak and " old, and infirm, were collected from the " ledges and high-roads, and consorted " with for want of better. *(Hear, hear!)* " The motly combination was duly appre- " ciated by the people—no one respected " them—they might now exclaim " The " " Church is in danger," but every one " would know they meant " *My Place* is " " in danger." *(Hear, hear!)* Now the " time was come when it would be mani- " fested that the people had a voice as well " as the Crown, and would not be imposed " on by a set of adventurers who had " usurped the Government, supported by " nothing but the favour of the Crown.— " *(Hear!)* Threats had been held out by " the runners of the Government that, as " on a former occasion, a dissolution of " Parliament would be now resorted to. " He believed in his soul Government " dared not realize the threat; but if they " did, it would only leave them ten times " as bad as they were before.—*(Hear,* " *Hear!)* Pompous language as to the flou- " rishing state of our revenue was however " held out. But was it sound at bottom? " Was there a legitimate trade? Was it " not a system, placing (by the requisition " of licences) the merchants under the " controul of Government? Was it not " rather the chicane of smugglers and pi- " rates, than the fair, liberal commerce " of merchants? *(Hear, Hear!)* But our " " Treasury was full." Aye, by the rigo- " rous severity with which the taxes were " collected. Under the system pursued, " the collection of the Property-tax would " soon be in the hands of Government col- " lectors. Indeed the liberty of the sub- " ject was directly struck at by the me- " thod by which the taxes were collected. " He gave it as his sincere advice, let an " economical reform be instituted before " the " last ounce," was exacted, and the " country reduced to despair. Let a Go- " vernment be removed to which the peo- " ple have refused their confidence. Let " our relative situation with the enemy be " well considered. Let the policy of " succouring Spain be also weighed un- " der the existing circumstances: Aus- " tria gone—the French force concen- " trated, and that country their only " object. It was said that we might de- " fend Portugal with 30,000 men: but " would not Buonaparté know our force " even to a drummer, and where we had " 30,000 he would have 60,000. Who " would struggle against such fearful odds? " Our remaining some time unmolested in " that country should be no argument for " our continuance there. We remained just " at the will of the French Emperor, and " at his option he could drive us out of it.— " But what could be expected from such " a Ministry, or rather from a single man, " for the Chancellor of the Exchequer was " now alone—alone, after sounding his in- " effectual war-whoop—alone, after fully " exposing his weakness, and shewing it, " exceeded only by his rashness. The " Marquis Wellesley, of whom such ac- " count had been made, he considered *com-* " *pletely insignificant*.—Who was he? The " Governor of India—the man who had " scarcely escaped the censure of that " House for his cruel tyranny !—the man " who had assailed the press, the sacred " palladium of the people! the friend of " Despotism—the foe to Liberty. Good " God! could this man say to Buonaparté, " in the noble indignation of insulted vir- " tue, " I have not done as you have." " *(Hear, hear, hear!)* Alas, if *such* a man " had strength, he would indeed be a fear- " ful acquisition to *such* a government; but " he was known, and therefore weak and " harmless *(Hear!)*. Peace should be the " cry of the nation. Peace—particularly " because the thraldom of millions of our

" fellow-subjects, was the tenure by which " this incapable Junta held their offices. It " has been said by our enemy, (said Mr. W.) " that the genius of France guided our ar- " mies. Alas! it now presides in our Cabinet; " for surely, whether we consider their ig- " norance, their imbecility, their bigotry, " or the fate with which Providence visits " all their measures, our enemy, had he " the nomination, could not select men " more suitable to his ends, or more per- " nicious to our interests."——Where is the independent and honest man, who does not applaud this speech? This is a speaker for me; one who never mirces the matter; but, who, indignant at his country's wrongs, freely expresses his indignation.——The *House*, however, you see, did not partake in the sentiments of Mr. Whitbread; and, the *House*, as it now is, *never will partake in such sentiments.*

WM. COBBETT.

Botley, Jan. 25th, 1810.

COBBETT'S

Parliamentary Debates:

The Twelfth, Thirteenth, and Fourteenth Volumes of the above Work, comprising the Proceedings in both Houses of Parliament during the last Session, are ready for delivery. Complete sets from the Commencement in the Year 1803, may still be had of the Publishers.

*** *All Communications for the Parliamentary Debates will be carefully attended to; but it is particularly requested that they may be transmitted to the Publishers with the least possible delay.*

COBBETT'S

COMPLETE COLLECTION OF

State Trials:

The FOURTEENTH PART of the above Work will be published on the 1st of February. One Part will appear, with the greatest regularity, on the first of each succeeding month. Subscribers who purchase the Work in Quarterly Volumes are respectfully informed that the Fifth Volume will be ready for delivery on the first of March. Of the TWO HUNDRED and EIGHT Trials or Proceedings, of which the first five Volumes consist, NINETY-FIVE never before came into any Collection. The following is a List of the Articles contained in the Fifth Volume:

*** *The new Matter is marked* [N.]

187. The Proceedings, Examination, and Trial of Colonel Eusebius Andrewe, more commonly written Andrewes, (a Barrister of Gray's Inn), before the High Court of Justice, for High Treason, A. D. 1650.

188. The Trial of Mr. Christopher Love, before the High Court of Justice, for High Treason, A. D. 1651.

189. The Trial of Mr. John Gibbons, before the High Court of Justice, for High Treason, A. D. 1651.

190. Proceedings against James Stanley, Earl of Derby, Sir Timothy Fetherstonhaugh, and Captain John Benbow, before a Court Martial, for High Treason, A. D. 1651 [N.]

191. The Trial of Major Richard Faulconer, at the Upper Bench Bar in Westminster-hall, upon an Indictment for Perjury, A. D. 1653.

192. The Case of Captain John Streater, on an Habeas Corpus, at the Upper Bench in Westminster-hall, A. D. 1653.

193. The Trial of Mr. John Lilburne, at the Sessions of the Peace held for the City of London, at Justice-Hall in the Old Bailey, for returning into England, being banished by Act of Parliament, A. D. 1653.

194. Case of the Privileges of Embassadors, being the Proceedings against Don Pantaleon Sa, Brother of the Embassador from the King of Portugal to England, for Murder in a Riot in the New Exchange, A. D. 1654 [N.]

195. The Trial of John Gerhard, Peter Vowell, and Somerset Fox, before the High Court of Justice, for High Treason, in conspiring to Murder the Lord Protector, A. D. 1654.

196. Proceedings of the Commissioners, appointed by Oliver Cromwell, for ejecting Scandalous and Insufficient Ministers, against John Pordage, of Bradfield, in the County of Berks, A. D. 1654.

197. Proceedings of the Commissioners, appointed by Oliver Cromwell, for ejecting Scandalous and Ignorant Ministers. In the Case of Walter Bushnell, Clerk, Vicar of Box, in the County of Wilts, A. D. 1656 [N.]

198. The Trial of the Hon. Colonel John Penruddock, at Exon, for High Treason, A. D. 1655.

199. Proceedings of the Lord Protector and his Council against Sir Henry Vane, knt. for the publication of a Book, intitled, "A Healing " Question, propounded and resolved, upon oc- " casion of the late public and seasonable Call to " Humiliation, in order to Love and Union " amongst the honest Party," A. D. 1656 [N.]

200. Proceedings in the House of Commons against James Nayler, for Blasphemy, and other Misdemeanors, A. D. 1656.

201. The Trial of Miles Sindercome, alias Fish, before the Lord Chief Justice Glynn, and Mr. Justice Warburton, at the Upper-Bench, Westminster, for High Treason, A. D. 1657.

202. The Trial of Sir Henry Slingsby, knt. before the High Court of Justice, for High Treason, A. D. 1658.

203. The Trial of Dr. John Hewet, before the High Court of Justice, for High Treason, A. D. 1658.

204. The Trial of John Mordant, esq. before the

High Court of Justice, for High Treason, A. D. 1658.

205. The Trials of TWENTY-NINE REGICIDES, at the Old Bailey, for High Treason, which began on the 9th of October, A. D. 1660.

206. Proceedings upon an Impeachment against William Drake, for writing, printing, and publishing a false, wicked, malicious and seditious Pamphlet, entitled, "The Long Parliament revived," A. D. 1660 [N.]

207. Proceedings in Scotland against Archibald Marquis of Argyle, for High Treason, A. D. 1661.

208. Proceedings at a Conference in the Savoy, respecting a Review of the Liturgy, A.D. 1661 [N.]

KING'S SPEECH.——*On Tuesday, the 23d of January* 1810, *the two Houses of Parliament having met, the Session was opened by Commission, when the following Speech was read by the Lord Chancellor:*

"My Lords and Gentlemen,

"His Majesty commands us to express to you his deep regret, that the exertions of the Emperor of Austria against the ambition and violence of France, have proved unavailing, and that his Imperial Majesty has been compelled to abandon the contest, and to conclude a disadvantageous peace. Although the war was undertaken by that monarch without encouragement on the part of his Majesty, every effort was made for the assistance of Austria which his Majesty deemed consistent with the due support of his allies, and with the welfare and interest of his own dominions. —An attack upon the naval armaments and establishments in the Scheldt, afforded at once the prospect of destroying a growing force, which was daily becoming more formidable to the security of this country, and of diverting the exertions of France from the important objects of reinforcing her armies on the Danube, and of controuling the spirit of resistance in the North of Germany. These considerations determined his Majesty to employ his forces in an expedition to the Scheldt.—Although the principal ends of this expedition have not been attained, his Majesty confidently hopes that advantages, materially affecting the security of his Majesty's dominions in the further prosecution of the war, will be found to result from the demolition of the docks and arsenals at Flushing. This important object his Majesty was enabled to accomplish, in consequence of the reduction of the Island of Walcheren, by the valour of his fleets and armies.—His Majesty has given directions that such documents and papers should be laid before you as he trusts will afford satisfactory information upon the subject of this expedition.—We have it in command to state to you, that his Majesty had uniformly notified to Sweden his Majesty's decided wish, that in determining upon the question of peace or war with France, and other Continental Powers, she should be guided by considerations resulting from her own situation and interests: while his Majesty therefore laments that Sweden should have found it necessary to purchase peace by considerable sacrifices, his Majesty cannot complain that she has concluded it without his Majesty's participation. It is his Majesty's earnest wish that no event may occur to occasion the interruption of those relations of amity which it is the desire of his Majesty and the interest of both countries to preserve. —We have it further in command to communicate to you, that the efforts of his Majesty for the protection of Portugal have been powerfully aided by the confidence which the Prince Regent has reposed in his Majesty, and by the co-operation of the Local Government, and of the people of that country. The expulsion of the French from Portugal, by his Majesty's forces under lieut.-gen. lord viscount Wellington, and the glorious victory obtained by him at Talavera, contributed to check the progress of the French arms in the Peninsula during the late campaign.—His Majesty directs us to state that the Spanish Government, in the name and by the authority of king Ferdinand the Seventh, has determined to assemble the general and extraordinary Cortes of the nation: his Majesty trusts that this measure will give fresh animation and vigour to the councils and the arms of Spain, and successfully direct the energies and spirit of the Spanish people to the maintenance of their legitimate monarchy, and to the ultimate deliverance of their country.—The most important considerations of policy and of good faith require that, as long as this great cause can be maintained with a prospect of success, it should be supported, according to the nature and circumstances of the contest, by the strenuous and continued assistance of the power and resources of his Majesty's dominions; and his Majesty relies on the aid of his Parliament in his anxious endeavours to frustrate the attempts of France against the happiness and freedom of those loyal and resolute nations.—His Majesty commands us to acquaint you, that the intercourse between his Majesty's

minister in America and the government of the United States has been suddenly and unexpectedly interrupted. His Majesty sincerely regrets this event: He has however received the strongest assurances from the American minister resident at this court, that the United States are desirous of maintaining friendly relations between the two countries. This desire will be met by a corresponding disposition on the part of his Majesty.

"Gentlemen of the House of Commons,

"His Majesty has directed us to inform you that he has ordered the Estimates for the current year to be laid before you: his Majesty has directed them to be formed with all the attention to economy which the support of his Allies and the security of his dominions will permit. And his Majesty relies upon your zeal and loyalty to afford him such supplies as may be necessary for those essential objects.—He commands us to express how deeply he regrets the pressure upon his subjects, which the protracted continuance of the war renders inevitable.

"My Lords and Gentlemen,

"We are commanded by his Majesty to express his hopes that you will resume the consideration of the state of the inferior Clergy, and adopt such further measures upon this interesting subject as may appear to you to be proper.—We have it further in command to state to you that the accounts which will be laid before you of the trade and revenue of the country will be found highly satisfactory.—Whatever temporary and partial inconvenience may have resulted from the measures which were directed by France against those great sources of our prosperity and strength, those measures have wholly failed of producing any permanent or general effect.—The inveterate hostility of our enemy continues to be directed against this country with unabated animosity and violence. To guard the security of his Majesty's dominions, and to defeat the designs which are meditated against us and our allies, will require the utmost efforts of vigilance, fortitude and perseverance.

"In every difficulty and danger his Majesty confidently trusts that he shall derive the most effectual support; under the continued blessing of Divine Providence, from the wisdom of his parliament, the valour of his forces, and the spirit and determination of his people."

CATHOLIC CLAIMS.

LETTER FROM LORD GRENVILLE TO THE EARL OF FINGAL.

Camelford-House, Jan. 22, 1810.

My Lord—I have the honour to address this Letter to your Lordship, in reply to that which I received from you, respecting the Petition with which you are charged. This form of communication I consider as most satisfactory to your Lordship. It is also best calculated to do justice to the sentiments of some of the most distinguished advocates of your cause, in concurrence with whom my decision has been taken.—I must in the first place assure your Lordship, that my opinion remains unchanged as to the object of your Petition. It would, I think, be an act of undeniable wisdom and justice to communicate to our fellow subjects, professing the Roman Catholic Religion, the full enjoyment of our Civil Constitution. Such a measure, accompanied by suitable arrangements, maturely prepared, and deliberately adopted, would, I am confident, above all others, give strength and union to the Empire, and increased security to its religious and civil establishments. Your Lordship is well aware, that on this conviction only have I supported it. To those establishments I am unalterably attached; their inviolable maintenance I have ever considered as essential to all the dearest interests of my country. But they rest, I am certain, on foundations much too firm; they are far too deeply rooted in the affections of that community to which they dispense the blessings of religion, order, and liberty, to require the adventitious and dangerous support of partial restrictions, fruitful in discontent, but, for security wholly inefficient.—With respect to the present application to Parliament, I knew not, except from public report, that such a measure was in contemplation; or that it was the wish of the petitioners to place their Petition in my hands.—I have twice already, at the request of the Catholics of Ireland, moved the House of Lords to take this subject into consideration. I did not, in either case, think myself responsible for your determination as to the time of agitating the question: a determination which, in the first instance, I had not suggested, and which in the last I had in my place in Parliament publicly dissuaded. Recent events had in both cases imposed upon me a pecu-

liar duty, not merely for my own honour, but in justice also to your cause, to prove, by my conduct, on the earliest occasion afforded by yourselves, that no change of public situation, no prejudice, no calumny, no clamour, could, either vary or suppress my opinions on this great national question. This duty I willingly performed. Deeply impressed with the importance of the measures which I recommended, I have spared no sacrifice, omitted no exertion, by which I could contribute to their accomplishment. And if I could now deceive myself with a hope, that a renewal of my weak efforts, in the present moment, could expedite or facilitate their ultimate success, it would be my highest gratification once more to stand forward as the chosen advocate of national conciliation.—Circumstanced as this question now is, both in England and in Ireland, it is, on the contrary, my deliberate opinion, that no motion grounded on your Petition could, at this time, in any hands, certainly not in mine, be brought forward, without great and permanent disadvantage to its object.—This opinion is founded, not only on the present known dispositions of Government and Parliament, but also on the unexpected difficulties which have arisen in Ireland, on the impressions which they may create, and the embarrassments which they unavoidably produce.—It would be an invidious task for me to recapitulate, in this place, the transactions of the last three years, or to discuss the temper and spirit, the language and the conduct of his Majesty's Ministers towards your body; nor would it become me to censure, though I may be permitted to lament, the decisions of the Legislature.—To these two topics it is sufficient briefly to have adverted. The obstacles which, in the present moment, they oppose to any favourable consideration of your Cause, and the advantages which they afford to the misrepresentations of your adversaries, are too obvious to require explanation.—Many circumstances compel me to speak to your Lordship more at large of the recent proceedings in Ireland; with reference both to their origin and to their consequences. For this purpose I must beg leave to recall to your Lordship's recollection, the grounds on which the consideration of these Petitions has uniformly been recommended to Parliament. That which you have asked, and which has been supported by the greatest Statesmen of our time, now no more, is not in its nature a single or unconnected measure. Its objects are, the peace and happiness of Ireland, and the union of the empire in affection, as well as in government. Vain indeed, would be the hope of accomplishing such purposes, solely by the repeal of a few remaining disqualifications, which by a strange anomaly are still left subsisting amidst the ruins of a whole code of proscription. To impute to you this visionary pretension, has been the artifice of your opponents. The views of your friends hath been more enlarged.—With the just and salutary extension of civil rights to your body, must be combined, if tranquillity and union be our object, other extensive and complicated arrangements. All due provision must be made for the inviolable maintenance of the religious and civil establishments of this United Kingdom. Much must be done for mutual conciliation; much for common safety; many contending interests must be reconciled, many jealousies allayed, many long cherished and mutually destructive prejudices eradicated.—Such, at least, have always been my own declared opinions. When this matter was last under the consideration of Parliament, I had occasion to dwell, with particular earnestness, on this necessity; I invited the suggestions of others for providing for it; and I enumerated several measures which eight years before had been in the contemplation of Government, in conjunction with which I then cherished the vain hope of rendering this great service to my country.—Among these measures, I pointed out the proposal of vesting in the Crown an effectual negative on the appointment of your Bishops. That suggestion had previously been brought forward in the House of Commons, to meet the just expectations, not of any bigotted or interested champions of intolerance, but of men of the purest intentions and most enlightened judgment. Men willing to do all justice to the loyalty of your present Bishops, yet not unreasonably alarmed at any possibility, by which functions of such extensive influence might hereafter be connected with a foreign interest, hostile to the tranquillity of your country. A danger recently very much increased by the captivity and deposition of the Head of your Church, by the seizure of his dominions, and by the declared intention of that hostile government to assume in future the exclusive nomination of his successors. The suggestion thus opened to

Parliament, produced there impressions highly favourable to your cause; it was received as the surest indication of those dispositions, without which all concession must be nugatory, and all conciliation hopeless. To my mind it had been recommended by long reflection. It had formed a part of the original conception of those measures as consequent upon the Union. It was now again brought forward with the concurrence of the two individuals, from whose opinions those generally prevalent among your body might best be inferred; of the agent of the very persons to whose office it related, and of your Lordship, to whom, in addition to every other claim to respect and confidence, the exclusive charge of the Petition had recently been committed. What I said on the subject, in the House of Lords, was spoken in the hearing of both, and I received from both, while the impression was yet recent on your minds, the most gratifying acknowledgments of your satisfaction in all that I had stated.—It was never, I believe, imagined by any of us, that what then passed could be binding on the opinions of the petitioners. The Roman Catholics of Ireland are not a corporate body. They speak through no common organ. Their various wishes and interests, like those of their fellow-subjects, can be collected only from general information; and any opinions, erroneously attributed to them, they, like all other persons, are fully entitled to disclaim.—I learnt, however, with deep and heartfelt regret, the subsequent proceedings which took place in Ireland, in consequence of this suggestion. To discuss the grounds of those proceedings would be foreign from my present purpose. Their effect obviously must be, not only to revive expiring prejudices, but to clog with fresh embarrassment every future consideration of any of the measures connected with your Petitions. To myself unquestionably the difficulty of originating at this time any fresh discussion of those measures, does, in such circumstances, appear almost insuperable. Let me not, however, be misunderstood. When I speak of the necessity of combining, with the accomplishment of your wishes, provisions of just security to others, I am no less desirous of consulting every reasonable apprehension on your part.—To the forms, indeed, of these securities, or to the particular details of the proposed arrangements, I attach comparatively little importance. A pertinacious adherence to such details, in opposition even to groundless prejudice, I consider as the reverse of legislative wisdom. I look only to their substantial purposes; the safety of our own establishments, the mutual good will of all our fellow subjects, and the harmony of the United Kingdom.—That adequate arrangements may be made for all these purposes, consistently with the strictest adherence, on your part, to your own religious tenets, is the persuasion which you have long been labouring to establish, and of which I have uniformly professed my own conviction.—Were it otherwise, I should indeed despair. But that these objects may be reconciled, in so far at least as respects the appointment of your Bishops, is known with undeniable certainty. It is proved by the acquiescence of your Church in similar arrangements under other Governments, by the sentiments which many of yourselves still entertain as to the proposal suggested in 1808, and, most of all, by the express consent formerly given to that proposal, in a declaration signed by the most considerable of your own Bishops.—I see, therefore, in the present state of this subject, much unexpected embarrassment, and many difficulties, which renewed discussion, in the present moment, must, instead of smoothing, inevitably aggravate. There is, however, no ground for ultimate discouragement. The sentiment of reciprocal confidence, the spirit of mutual conciliation, would surmount far greater obstacles.—But nothing, permit me to remark it, can in the mean time be more injurious to your cause, than any attempt, by partial and precipitate decisions, to prejudge its separate branches, or to limit its unreserved discussion. No course can be more grateful to your opponents, none more embarrassing to your supporters.—To Parliament, when any more favourable conjecture for this discussion shall arise, every information may properly be supplied, every wish imparted, every apprehension communicated. There only, by a systematic and comprehensive arrangement of this extensive subject, can all its difficulties be surmounted, all its relations finally adjusted. To be effective and permanent, such an arrangement must be mutually satisfactory. This is alike the interest of every member of the British empire, but to none more important than to the Catholics of Ireland. The stability of all your civil rights, both of those which you already enjoy, and of those to which

you seek to be admitted, essentially depends on the tranquillity and harmony of your country, on banishing from it every hostile influence, and composing all its internal differences. — These opinions I have expressed to your Lordship with the freedom of a tried and zealous advocate of your cause. On these grounds alone have I ever attempted to do justice to it. To have argued it on any other would have been a dereliction of my own principles.—I need hardly add, that by the same principles my present conduct must equally be directed.—Should the petitioners continue to entertain the desire conveyed in your Lordship's letter, that I should lay this Petition upon the table of the House of Lords, with that request I cannot hesitate to comply. It would be highly improper to deny to such a body of men the opportunity of submitting, through my hands, if they should so desire, it, and at their own time, their wishes to the Legislature of their country. It would be still more inexcusable in a case, where all my opinions and all my wishes are favourable to the object of their application. On the measure itself, if any motion respecting it be originated by others, I shall not fail to urge, with unabated earnestness, all the same sentiments which I have detailed in this letter. But I must with equal explicitness decline to be myself, at this time, and under so many circumstances of such peculiar disadvantage to your cause, the mover of any such proposition. I am satisfied, that, by this decision, I shall best promote the ultimate success of that great work which I have long laboured to accomplish. My reasons for this persuasion I have, I trust, sufficiently explained. They may be erroneous, they are at least sincere.—To the principle of equal laws, to the object of national conciliation, I am invariably attached. By me, they shall never be abandoned. But any personal exertions which I can make, for purposes of such inestimable benefit to my country, must ever be regulated by that discretion, which I am equally determined in every situation to reserve, unfettered by previous engagements, and the faithful exercise of which my public duty imperatively forbids me to relinquish. I have the honour to be, with sincere respect and regard, my Lord, your Lordship's most obedient humble servant,

GRENVILLE.

THE

HON. G. VILLIERS' DELINQUENCY.

Sir;—This gentleman's case is the most prominent instance of Delinquency, that has occurred within the century: and compared with it, Lord Melville's imputed misconduct sinks into a venial peccadillo. When the public are told that up to the year 1804, Mr. Villiers is indebted in the enormous sum of 284,000*l.* what opinion can they form of the administration of their affairs? while the tax gatherers are enforcing by distressing means the payment of taxes from the indigent mechanic and his starving offspring, what are they to feel, on hearing that there has been all this time, so enormous a balance in the hands of an inferior paymaster. When laws were passed to regulate the offices of the Paymaster of the Forces and the Treasurer of the Navy, why was no attention shewn to the Paymaster of the Marines? for it is now gravely advanced, though I presume, the defence is inadmissible, that no regulation having been made, Mr. Villiers had a power of using the balances in his hands, at his own discretion, and has not been guilty of a delinquency, if he be able hereafter to repay the deficit, and the public do not sustain a loss. It will be very easy to shew the fallacy of this reasoning, but at present I shall only say that Lord Melville did not owe one farthing to the public, when the House of Commons ordered him to be impeached. But proceed to farther views of this case, and I again ask, why an Act has not been passed to regulate this office? Mr. Geo. Villiers is known to be a great favourite of the king's, and from his agricultural pursuits to have been in the habits of familiar intimacy with his majesty; and the inference drawn from this circumstance is the most unfavourable to the character of the king; as I am convinced that it is at the same time unfounded, for his majesty has never been known to protect delinquents, or to encourage misconduct in his favourite servants, however the mean subserviency and interested ambition of ministers may have led them, as in the present instance, to wink at the misconduct of such as were supposed to enjoy an uncommon share of royal favour, and to omit applying corrective regulations, for fear of giving them offence. These are inconveniences that naturally result from every degree of favouritism, the natural ten-

dency of which is, to confer offices of trust on unworthy objects, and to protect their abuse in the execution of them. But I return to the question of Mr. Villiers' delinquency; and on this, I have no hesitation to pronounce him guilty, though not under any directly prohibitory act of parliament, and simply on this ground, that every man entrusted with the public money, ought to keep it at all times ready to be applied to the public service, and should not use unfair means to possess himself of it, and that Mr. Villiers has misapplied the money, entrusted to him as a public officer, by diverting it to his own private purposes, and for his private emolument, so as at this moment to have a balance against him of 280,000*l.* which he cannot pay or refund, when called on so to do. Here there is a notorious delinquency, founded in a breach of trust and dereliction of duty, and attended with a great loss and inconvenience to the public, and this when on the admission, that there is no prohibitive statute against the practice. But I understand, that there was a regulation of office, which will greatly aggravate the delinquency, and stamp Mr. Villiers with the infamy of a false return, twelve times in the year, for I believe the rule of office to be, that he, as Paymaster of Marines, was to draw their pay monthly from the Navy Office, and that on each application he was to state the balance in his hands, which, if exceeding 4 or 5,000*l.* was made applicable to the service of the ensuing month. Could Mr. Villiers be ignorant of the state of the balance of his cash account? impossible; and if he has every month signed a false return, he has been guilty of a direct fraud, totally distinct from the case of delinquency as stated above, and superadded to it. Such, I say, must be our decided views of this case, and I request the opinion of your legal friends, in what manner the Attorney General is bound by his duty to prosecute the delinquent, for I conceive that there can be no security for the public, if delinquents of the above description are suffered to escape with impunity, for that would be holding out a precedent to encourage the abuse of office, and naturally lead to the belief, that if a man in office committed a petty offence, he ran the risk of being cashiered and stigmatized; but if he rose to the daring magnitude of guilt, and propped himself up with the spoils of the public, he might then be safe and be prepared to fight the public with their own money. I am aware that Mr. Villiers will have many supporters on this occasion, and that there are many who will think the loss of office a sufficient punishment. But, I certainly differ from them, for though Mr. Villiers should be stripped of all his various sinecures at Gibraltar, and in the West Indies, as well as of his place of Paymaster of the Marines, as I take it for granted that he will be, still this would be only the consequence of incapacity. But if he has been guilty of delinquency and fraud, the transgression requires a penal prosecution, and that he be brought as a delinquent to the bar, to take his trial before a jury of his countrymen. If it should be alledged that Mr. Villiers reposed his confidence in a deputy or clerk of the name of Waters, that the returns were signed by him, and the money applied by him, and therefore that Mr. Waters is alone responsible for the consequences; such a train of reasoning is utterly inapplicable, and could not in any degree be pleaded in the present case in favour of Mr. Villiers, for in the first place, no man will venture to deny that Mr. Villiers is accountable for the public money misapplied by Mr. Waters; even on the supposition that such misapplication had been made by him, without Mr. Villiers knowing it, or deriving any advantage from the misapplication; but we have heard of instances when Mr. Villiers was brought forward as the principal by Mr. Waters in the purchase of some mills, where the seller refused Mr. Waters's security! and we believe it will be no difficult matter to identify Mr. Villiers and Mr. Waters, in all the purchases, engagements, contracts, trade and traffic, carried on in the name of the latter. And this too by proof positive and direct, without adopting a precedent repugnant to the mild and liberal principles of the penal code of the British constitution, and which savours too strongly of Inquisitorial malignity, the arming the deputy by a Bill of Indemnity to charge his principal with offences in which they have been joint actors. But to return to the subject, Mr. Villiers by suffering the misapplication, whether he knew it or not, is guilty of the delinquency, for he might have known it, and he ought to have known it; and in sharing the profits of the misapplication with his clerk or deputy, he constituted himself a partner in all his transactions, and is chargeable with every

species of fraud practised by Mr. Waters. But let us take another view; Who is this Mr. Waters, who enjoyed Mr. Villiers's confidence to such a degree as to possess himself of 280,000*l.* of the public money in Mr. Villiers's office? Will it be believed that Mr. Waters entered that office as a low clerk without any property, and was raised by Mr. Villiers to be his agent with full confidence in his honesty and intelligence, and with something less than no character? if it be true, as I have heard, that Captain Ball of the Royal Navy had apprized Mr. Villiers of Mr. Waters's conduct, when he acted as his clerk, which was calculated to have put Mr. Villiers on his guard. But is it possible that a clerk with the best character, could have diverted to his own use 280,000*l.* of the money for which Mr. Villiers was answerable, without his knowledge? If Mr. Villiers will defend himself by saying that such a thing is possible, he would declare himself not only unfit for any office that required common sense, but he must appear a driveller and an idiot; and this certainly is not Mr. George Villiers's character. But is it not astonishing, that with the example of Lord Melville and Mr. Steele before his eyes, Mr. Villiers, knowing himself to be a public accountant, should not have thought of getting in his money, and being prepared for an enquiry. These examples could not have failed to have given him a seasonable warning, and I can only impute his being now unprepared to meet the enquiry, by supposing what is known to be the fact, that he engaged in so many speculations, and embarked the balances in so many different objects, that it became impossible for him to draw them in, and that the consequent loss to the public will be something prodigious.—But what does Mr. Villiers say, now that the money is called for? Mr. Villiers says, he has the utmost confidence in Mr. Waters, so far we believe him; that he considers Mr. Waters as an honest and trust-worthy man, and that he makes no doubt that every thing will appear very fair, when Mr. Waters returns from Portugal, and produces the books which are in his possession. But in the mean time, this honest man has disappeared, and carried the office books with him; and this too, we are to suppose, without Mr. George Villiers's knowledge. Now, fortunately for the cause of truth, there are always circumstances that overset the best formed attempt to conceal it, and here again we have proof direct that this could not have possibly been, without Mr. George Villiers's knowledge; for Mr. Waters left the Marine Pay Office about a year ago, but he was not dismissed; and last summer visited North America, as was whispered at the time, to avoid being examined by the Commissioners of Accounts, and returned to England in the autumn. What books could Mr. Waters have kept after he left the office? Certainly not the office books, the business could not have been carried on without them; the books, then, that Mr. George Villiers now says are in Mr. Waters's possession, can be no other than the cash accounts, with that of the partnership concerns of Villiers and Waters; and without these books, Mr. George Villiers certainly cannot pretend to say what balance will be found on his private transactions applicable to the deficit of his public accounts. But this should not prevent the Commissioners from proceeding with his public accounts, which should be made up with all possible dispatch, that the sum of the deficit may be ascertained, for if the deficit on the last six years be in proportion to that of the preceding, I may venture to say, that the deficit, with legal interest on it, will far exceed half a million. The extent of Mr. Waters's dealings as a general merchant and discounter are well known, but it may not be equally known, that he had a contract from the Ordnance Office, for iron tools, &c. a transaction which appears extremely suspicious on both sides, for it presents us with the view of one office contracting with another, and allowing a profit on the application of the money of the public. I forbear to pursue this more than suspicious connection through the various shades of dereliction of duty, if not of participation in fraud, which will present themselves to those the least conversant with public business. But I cannot so lightly pass over the conduct of the Navy Board, who issued the money to Mr. Geo. Villiers, and to whom he has been all along accountable for the application of it; for between the one and the other, a high degree of criminality rests. If the Navy Board had done their duty, this deficit could not have been; it will be impossible for them to exculpate themselves, by charging Mr. Geo. Villiers with false returns. It was their business to have examined those returns, when the fraud would have been easily detected;

and in not doing so, they have forfeited all claims to confidence, they have shewn themselves incompetent to the duties of their office, if they have not connived at Mr. Geo. Villiers' guilt; and they ought, as well as Mr. Geo. Villiers, to be not only dismissed from office, but declared incapable of serving his majesty in any capacity, civil or military. For if they should be only dismissed from one office, to be appointed to another, ministers would then become implicated in the general criminality; for such appointment, so far from punishing delinquency, as the public interest demands, would in reality be rewarding it.—I have heard Mr. Fordyce's case brought as a precedent of a public defaulter being appointed to an important official situation. This is a strong proof of the danger of precedent. But without justifying Mr. Fordyce's appointment; his case was, in every material point, different from that of Mr. Villiers. Mr. Fordyce's deficit was about 100,000*l.* Mr. Geo. Villiers up to 1804 is 280,000*l.*, this refers only to the public. Mr. Fordyce's arose from the failure of the Banks, in which he had deposited the public money. Here there was misfortune, but no delinquency. Mr. Geo. Villiers's deficit arises from trading with the public money, and a system of false returns. Mr. Fordyce's deficit was settled, and sufficient security given for the repayment. Mr. Geo. Villiers's deficit is not ascertained, nor his account settled. The cases are therefore totally different, and the precedent can, in no way, apply. —Indeed the conduct of government towards Lord Melville may satisfy the public on this point, that no attempt will be made to protect Mr. Geo. Villiers against the justice of the country, or to screen his delinquency. They neither can nor dare do it; for, as I said in the beginning, Mr. Geo. Villiers infinitely exceeds any delinquency ever imputed to Lord Melville. I say imputed, for, at the time that Lord Melville was impeached, he was not a defaulter, he did not owe the public a shilling.—Mr. Steele's case agrees more directly with that of Mr. Geo. Villiers, for he was a defaulter and a delinquent, as Mr. Geo. Villiers is, at this moment; and where the default has arisen from an act or acts of delinquency, I believe it will be universally admitted, that repaying the money is not a sufficient satisfaction to public justice: and that punishment is due to the delinquency, to act as a salutary example, to deter public officers from the commission of similar offences; for if there be no punishment for malversation and delinquency; the temptation of private interest will continue to operate, as we see it has done, and lead public officers to apply the monies in their hands to objects of speculation and profit, if there be no check but the dread of losing the office in which the malversation has occurred.—If the restitution of a theft or a robbery, is not admitted, in law, as a discharge from the criminal prosecution; ought not the same principle to be applied to state delinquents? who have no excuse from necessity, and whose offences are infinitely more dangerous to the community, from the infection of example, and the magnitude of the crime.

Yours, &c. A. B.

CATHOLIC CLAIMS.

Sir;—Dr. Milner's Letter, published in the last number of your Register, contains a statement of some very important facts respecting the condition of the Irish and English Soldiers and Sailors in his majesty's service: the following circumstance, copied almost literally, from Mr. Parnell's "Historical Account of the Laws against the Irish Catholics" is not less curious or interesting.—By certain Acts of the Irish Parliament, Roman Catholics were allowed to serve in Ireland as privates: And the act passed for the relief of the Irish Catholics in 1793 made it lawful for them to hold in Ireland, any military office or employment below a certain rank.—In a communication which they had with government, they observed, that the act would not enable them to hold, or continue to hold, any such office or employment out of Ireland: and that as both officers and privates were in constant motion from one part of his majesty's dominions to another, it was necessary, to give the Bill any useful effect, that the English act of 1st Geo. 1st, which prohibits Catholics from filling any military situation, should be repealed. In answer to this application, the Catholics were informed by lord Hobart, that such a measure would be immediately adopted; and a letter of his majesty's Secretary of State, containing a promise to this effect by the English government, was produced to them. Upon the debate in the house of Lords on this act, Lord Farnham proposed an amendment to the clause re-

lating to military officers, by rendering its operation conditional, until England should pass a similar law. The Chancellor, Lord Clare, opposed it: "for," said he, "it could not be supposed that "his majesty would appoint a man to such "a post, until the laws of the empire "should fully qualify him to act in every "part of it:" And he said "it was more "than probable a similar law to this "would be adopted in England before the "lapse of two months, and that, on this "ground, the amendment would be wholly "unnecessary."—Now, Sir, incredible as it may appear, Lord Howick's bill,—that bill, that very bill, which produced the horrid yell of "No Popery," and blessed the kingdom with the No Popery and Walcheren Administration, was no more than a performance to the Roman Catholics of the promise made to them fourteen years before, by Lord Hobart, and Lord Clare; and, on the faith of which, thousands had enlisted as privates, and several accepted offices, which in the hour of danger, they were courted to accept. Yours, SPARTACUS.

CATHOLIC CLAIMS.

SIR;—You have shown the futility of the objection taken to the passing of a law for the emancipation or relief of the Irish Catholics, as founded in the terms of his majesty's coronation oath. You have given instances of acts done by his Majesty, which, if there were a colour for the objection, would be equally a violation of this oath. Allow me, if enough has not been said already, to state a case which I conceive to be precisely in point. His majesty, at his accession, took an oath (as all our sovereigns, since the Union in 1707, are by law obliged) inviolably to maintain Presbyterian church government in Scotland, with its worship, rights, and privileges, as established by law at the time of the Union. By that law Presbytery was established, and prelacy and all superiority of any officer in the church above presbyters were abolished. And yet his present majesty, in the year 1792, gave his royal assent to an Act "granting "Relief to Pastors, Ministers, and Lay "Persons of the Episcopal Communion in "Scotland," removing sundry disabilities, and in effect recognizing an episcopal establishment in that kingdom. Immediately, on the passing of that act, the Scotch hierarchy again appeared with all the eclât that a church stripped of its temporalities can do. The bishops of Scotland, as a legal body, have been allowed to approach the throne with their addresses, and, I dare say, though I do not know the fact, did not fail to show their loyalty on occasion of the late joyful Jubilee.—Now, Sir, I certainly do not mean to insinuate that there was any thing wrong in this act, or any violation of his majesty's oath, but, I say, that it is beyond my power to see a distinction between granting relief, by act of parliament, to Scots Episcopalians and to Irish Roman Catholics. SCOTUS.

ON BANKING.

Sir;—At the time I first addressed you upon this subject, the Edinburgh Review upon Mr. Smith's late publication upon money, had not fallen under my observation. At the close of their remarks upon that work, is prefixed a statement of the causes of the embarrassment of the Bank of England, as developed by the examination before the House of Lords, when that institution suspended its payments. Without question, as appears by the statement, that want was brought about by the heavy loans made to government; and it is equally evident that had those loans been returned to the Bank, the Bank would have resumed its specie payments, and, perhaps, by judicious management, would to this day have continued them. I say by judicious management; for even had the loans been returned by government, if the Bank issued small notes to the extent now done, it is very probable specie would so totally have been banished, that the least overflowing of the circulation it would have been difficult to have redeemed. Nothing however, is more to be lamented than the indiscretion of Mr. Pitt in this transaction: Could the great Dr. Adam Smith, who has so luminously treated upon this subject, have been made conscious of this step, he would have risen from the dead. It is singular that of all those authors who have professed to instruct us upon this subject, none except Dr. Smith has written consistently and intelligibly; some too have been practical men, and had the theory of Dr. Smith before their eyes. But the Edinburgh Reviewers seem to promise us better things; it certainly is in their power to enlighten the public; let us hope that we may not be disappointed. But I have been induced

to add to my first observations, with the view to enter my protest against the new emission of dollars, which, we are told by some of the news-papers, government have resolved to coin and put into circulation, to the amount as stated of eight hundred thousand pounds. The effects of such a measure may be predicted with perfect confidence, to prove of no kind of relief, or additional security to the present circulating medium. The circulating medium is altogether full of specie under one pound notes; and any additional sum therefore poured into it, will cause as much to be drawn from it. The complaints of the scarcity of specie, to make exchanges with, under one pound, are not true. And most assuredly all that is added to it will be taken from it, either in the small gold pieces, or in the same dollars that are issued; but most probably the same dollars will be withdrawn, because as is stated, they are to be made of more real value than usual. The only way the eight hundred thousand pounds can find employ in the circulating, is by proscribing the circulation of one pound notes, and if all those were proscribed (and it would be useless to proscribe less than the whole) this eight hundred thousand pounds would constitute a very small part indeed of what specie would be required to substitute for them; but small as it may be, it would be better to reserve this sum, to come, some day or other (for the day will come) in aid of such a measure, than to have it issued with the certain prospect of its going out of the country.—Your correspondent, H., is pleased to attribute to an inconsistency, my admitting at one time the great advantage of substituting paper for specie; and afterwards in urging that it would be preferable to have no substitute. It still appears to me, however, that I was very explicit upon that point. I stated that there had been a very great addition to the active capital of the country; but that this was counterbalanced by the consequent loss of security; not to the paper money only, but to the whole personal property of the country: in time of war, and especially such a vindictive war as we are now engaged in, this insecurity may be fatal to the independence of the country. Specie is banished, and it is infinitely more easy to banish it, than to recall it. To recall any from the continent now, would be next to an impossibility. It is injudicious to maintain the present paper circulation, because individuals in this country have more capital than they can, these difficult times, advantageously employ; and, consequently, perfect security can be given to the circulating medium (always desirable in time of war), without the judicious application of the active capital of the country being much weakened. Your correspondent, H., entertains the common error, that paper does not necessarily banish specie from circulation. But, if paper acts as a substitute, how is the principal to continue? And, if the principal continues in circulation, what is gained by the substitute? But, of the truth that paper money does banish specie, there can be no doubt with those, who observe the present and palpable effects of it. And bad as the currency is, it might get considerably worse, were the Banks to issue notes under the pound. Were they to issue notes down to a penny value, in a short time there would be no copper pennies to be seen; such would be the certain effect of issuing small notes to banish specie. There would then be a total absence of security for bank notes. Bank paper, when specie cannot be realized for it, is altogether of imaginary value; but where it is so governed, as that a considerable part of the currency must necessarily consist of gold and silver, then the nominal price of bank notes can be easily maintained. And had this country never resorted to bank notes at all, most indubitably where bank notes now circulate, guineas would have existed to the same amount, except so far as the bank notes have depreciated. That the circulating medium has depreciated, every practical merchant, who observes the exchanges, must certainly know. The relative price of bullion to the currency establishes the fact beyond question. The pound sterling, in Paris, sells for little more than nineteen livres; which is more than 25 per cent. under par. At Hamburgh it is as bad. Through the whole season at St. Petersburg a cargo of hemp has cost nominally 25 per cent. more for bills in England, than for bills on Hamburgh. Now all this effect would be impossible on any other hypothesis, than the depreciation of the currency; for, suppose the currency to be gold and silver, the difference between the bills could only be the expence of transporting to Hamburgh the bullion, which could easily be bought without loss in this country with

the gold and silver currency.—To keep specie in a country where the currency is filled with paper is almost impossible; it can be done only by hoarding it up; and no man of sense will keep unproductive property by him unemployed if he can well avoid it; and in the precious metals it is always easy to avoid it. Into circulation it certainly will not go. Money produces no revenue of itself; and since it cannot be employed in the home circulation, it is sent abroad; nothing is more natural, nor more certain. The specie that comes into this country, as regularly, therefore, goes out of it. Specie finds here a mere channel to convey it to the continent. It can only be stopped by drawing in the bank notes, beginning first with the small ones. In the present state of our currency, specie is not an instrument to make exchanges with, but is an article of merchandize. It appears to me, this distinction not being observed, is in some measure the cause of the misconception and confusion of ideas which prevail upon this subject. Guineas, no doubt, would not leave this country so rapidly, if our manufactures could be returned to the continent to answer for our present imports; the new restrictions lately imposed will increase the demand for guineas. The currency of France was speedily restored to a specie medium after its assignats had fallen to nothing, by maintaining a great trade with neutrals, and by enjoying, as it has done, the revenues of Old and New Spain. This country, happily by its present relations with New Spain, has it in its power to restore the currency to a proper state; an opportunity which ought to be improved, and to me there is no other conceivable mode of doing it, than the one suggested in my first communication.—In proportion as our trade declines abroad will be the accelerated depreciation of the present currency; for the use of all currency is to circulate goods, either in greater or less quantities; and, if trade declines, the circulation of goods declines with it; and, consequently, a smaller portion of money will be necessary to circulate them; this throws, of course, more paper out of use; and thus will be depreciation hastened. This then, among many others, is one of the evils of paper money peculiar and incident to it in time of war. The difficulty of restoring specie to the currency, would certainly not be surmounted in a very short time; it would be quickened or retarded as our commerce abroad was prosperous or adverse.—As to our national debt, if the government would suspend the operation of the sinking fund to redeem any of it, until the stock declined in price to one half of its present value, or even one third, in a short time the debt, borne down by its own weight, would fall, and then the application of the revenues of the sinking fund would be twice as efficient as at present; and the public burthens in a like degree be lessened. The morality of such a step I am not considering. It is singularly remarkable, that the sinking fund, really intended to lessen and discharge the national debt, is the cause, by preventing its depreciation, of maintaining and perpetuating it.—The great evil to be apprehended from the depreciation of our currency to nothing is, that it would leave us in a palsied state; the consequences of which, in peaceable times, might be of no very great moment besides the total loss of so much money; but, under the present state of our country and of the world, may be of incalculable injury. In this view I do sincerely lament the present state of it; I do think our neighbours, with much less wealth and commercial advantages, have manifested much more wisdom. Suppose the colonies of the new world were shut out from us, how could this country restore the currency to specie? To regain it from the continent is certainly now impossible.

Jan. 2nd, 1810. AN. ŒCONOMIST.

SPEECH OF MR. DEANE,

AT THE LATE BERKSHIRE-MEETING, UPON THE SUBJECT OF ASSESSED TAXES.

MR. DEANE, of Waltham, rose and said; I cannot pass this opportunity, without rising to express my thanks, to those Gentlemen, who have signed the Requisition for calling a County Meeting on this day, by which I claim a right of coming forward, as a Freeholder of the County of Berks, and stating what I consider to be a great public grievance.—I have heard, Sir, some reflections cast on the Gentlemen, who signed the Requisition, charging them with private and sinister motives for so doing.—I have the honour of being personally acquainted with one or two; I know them all by report, and I believe them to be men possessing high honour and strict integrity, some of them holding fine and valuable estates in this county; and I would ask you, Sir, or I would ask any man

in this assembly, what motive could induce such men, to call such a meeting, but an anxious desire to do good to the country in which they live.—As I have ventured to come forward on this occasion, I fear I shall have some severe reflections cast on me; I expect to be charged by some with disloyalty, by others with disaffection,—but I beg leave to state I had for many years of my life, by living under the immediate eye of his Majesty, an opportunity of evincing his personal justice and private virtues, for which I highly honour and revere him, and as to disaffection, I defy any man, who ever lived in the united kingdom of Great Britain, to have a higher esteem or veneration for his country than I possess.—Having thus publicly declared my sentiments, I shall proceed to comment freely on an Act of Parliament, which I consider of a most unjust and oppressive nature, and which I trust will not be thought irrelevant to the present subject of debate.—It is an act, Sir, which presses very heavily on all classes of his Majesty's subjects, it is felt severely by the Gentleman, the Tradesman, the Mechanic, and the Labourer, and I am sure you will agree with me when I state it to be an Act of the 48th year of the reign of his present Majesty, called the Assessed Tax Act—or in plain words it is the Act which contains the long and alarming list of our present Taxes.—I have read some of the laws of my country with admiration, and listened to others with infinite delight; —but when I contemplate the contents of this act, I am struck with horror and dismay, for it appears to me to have been framed in the spirit of injustice, and every clause of it is fraught with severity and oppression.—But before I proceed to comment on the more objectionable clauses of this Act, I beg most distinctly to be understood, it is not my intention on this occasion to complain of one single Tax therein contained;—for in this alarming state of the world I am well aware of the high and important necessity there is for all of us—to subject ourselves to great and serious privations, but although I do not mean to find fault with the Taxes themselves, I do most bitterly mean to complain of the unjust and iniquitous mode of enforcing their payment, by which their burthen, dreadful and heavy as it is—is rendered doubly galling and oppressive.—In looking attentively into this Act, I perceive gentlemen named as the Commissioners to carry it into execution; but, how irksome is their situation?—they are reduced to this unpleasant situation, they are brought to this unhappy alternative, they must either offend their friends and neighbours, or they must incur the censure and animadversion of the Government, by which they are appointed;—but the great foundation of my objections is intended to be directed against people, who are called Inspectors and Surveyors. They are a set of men, Sir, furnished under this act with inordinate power, and armed with an authority so great, that no man, however high his character, or however elevated and dignified his situation, ought in a free and independent country to possess.—They claim a power, and they appear to me to have it, under this most unjust Act—of criminating a man upon his own evidence. —This, Sir, is cruel, it is contrary to reason—it is contrary to justice—and I hope soon to have it in my power to say, it is contrary to law.—Indeed I believe it is now contrary to the established statutes of the kingdom, for it is there declared, that a man charged with the foulest of crimes, arraigned at the bar for murder, or high treason,—is not to be criminated on his own evidence. You must first absolutely and positively prove the facts, or you dare not inflict the punishment which the law directs.—So that under the operation of this most injurious Act, an honest man stands not an equal chance with a villain.—These men visit us once a year, like birds of passage, but they unfortunately partake not of the innocence of their natures; but cormorant like, they swallow and devour all they can find, and if an honest man falls in their way perfectly innocent, and naturally unwilling to defraud the revenue of a sixpence; if they find he has committed any little error in the return of his complicated tax papers, they consider him fair game, and they pounce upon him as a vulture would pounce upon his prey.—Let me suppose the case of an honest, innocent, but uninformed man, making his appeal before the Commissioners of his District, for a surcharge to the amount of 20*l.* what chance does he stand?—when he comes there, he is confronted by one of these gentlemen Informers, just arrived reeking from Somerset-house, armed at all points like a porcupine, with his Act of Parliament at his finger's ends, which he knows much more about than any common lawyer does, for the best of all reasons, because he gets his living by it; a bible is then put into

the appellant's hand, and questions are asked, framed entirely to criminate himself, and put money into the Informer's pocket. I say, what chance does that man stand? for another happy invention of the framers of this blessed Act is, that a man, however ignorant, however uninformed, shall be deprived of the opportunity of obtaining all legal advice, for it is there expressly stated he shall have no Lawyer to conduct his case, nor a Counsel to plead his cause.—But under all these disadvantages, we will suppose the Commissioners, in the spirit of justice and moderation, refuse to confirm the surcharge! What does this learned Inspector do? he tells them, if not in direct terms, with very broad hints, that they know nothing of the affair, and he demands a Case for the opinion of the Judges, for which he pays not one farthing; but if the unfortunate appellant is dissatisfied, and demands a Case, he must pay 40*s.*; and 40*s.* for what? a Case it is true, and to be handed to the Judges; but by whom, there is the nub!—I cannot tell you by whom, but I shrewdly suspect by some creature of Government: some man intimately connected with the Tax-Office, who feels it his interest to point out to the Judge, that the appellant is a fair subject for taxation and surcharge. I mean not, Sir, to cast any reflection on the Judges, I hope we have still some wise and virtuous and honest Judges left; but I own, was I placed in that unpleasant situation, I should wish my case to be decided in the old-fashioned way, and I would prefer the opinion of twelve honest men chosen out of this hall, to the opinion of the wisest and most virtuous Judge, who ever sat upon the bench.—But the injustice of the case rests not here; you would consider, Sir, and the appellant would naturally think, he was relieved for the present, and his 20*l.* would be safe, till the Judge's opinion was obtained;—but no such thing—this wicked and despotic Act demands immediate payment of the money; and if the decision of the Judges should be against the surcharge, I know not whether the 20*l.* would be returned: but I know this—once or twice I have paid money into the hands of collectors in my own wrong, and when it was applied for, I was told it was paid into the Exchequer, and could not be returned. I believe, Sir, the performers in the great theatre at the Tax Office are like the performers at the other theatres in London,—they wish it to be pretty well understood, that no money is to be returned after the curtain is drawn. In the whole of this Act, the only favourable clause I find for the subject, is a 100*l.* penalty, with costs of suit, if the inspector makes a false, vexations, and malicious surcharge. But let me call your attention, Sir, to this great and mighty boon,—observe the careful and cautious words made use of.—Nothing is more likely than what has fallen from my lips to-day may give great offence to the Inspector of my district, and he may surcharge me, perhaps most illegally; but how am I to prove vexation and malice against a man I never saw? Would not he come into a court of justice with apparent clean hands, and say he had done nothing but what the conscientious discharge of his duty required of him; so that, in fact, this clause grants you nothing.—I shall trespass, Sir, but a few moments longer on your patience, which will be, by way of illustration, to name two cases, which have come under my immediate inspection:—one was a very respectable friend of mine, who entered six pleasure horses, two of which he bought at Reading fair, and they turned out very bad, and were both lame; he sent them to grass for three months, and ordered his groom to take them up, and get them fit for his use; but they fell lame again; in fact he found them totally useless, and bought two fresh ones, and when his taxes became due he was charged for eight horses instead of six: he made his appeal, but the inspector contended he was liable, and he was obliged to pay his surcharge.——The other, Sir, is a much more common case,—it happened a very honest neighbour of mine was surcharged for a Tax Cart; he had taken great care to have it built precisely according to the directions in this Act, and when he made his appeal the Commissioners thought he was not liable;—but the learned Inspector came forward, and said, Gentlemen, you are all over wrong, you really do not understand the meaning of the Act,—the man is evidently liable, for he rides on a cushion, and that being an ornamental appendage to the cart, he must pay the surcharge; and my unfortunate neighbour was actually obliged to pay 11*l.* 16*s.* instead of 1*l.* 6*s.* 6*d.* Now there are many people in this assembly who ride in Tax Carts I dare say, and when they hear what I have said, they will go home well contented, and say, Well, the Inspector of our district shall not take advantage of us, for we will ride in

our carts without any cushions. But vain, very vain, gentlemen, are your hopes, for after bumping your posteriors for a whole year, you will have the devil come among you again, and you will be surcharged; and you will of course make your appeal, and the Commissioners will be inclined to relieve you; they will say, this man cannot be liable, for his cart comes within the meaning of the Act, he has no cushion. The Inspector may again assume his authority, and say, Gentlemen, you are all over wrong again, you know nothing about this Act, there cannot be a doubt of his liability, for the fellow has the impudence to ride in his cart with his breeches on. Well enough you may laugh, Gentlemen, but I contend one is as much law as the other, for I see not one word about a cushion in this Act of Parliament, and I never yet heard of any Act that prevented a man riding on a cushion made of purple and gold, if he thought proper.—In consequence of these considerations, I beg leave to move, that the Members for the County of Berks, George Vansittart and Charles Dundas, Esqrs. be requested to attend their duty in the next session of Parliament, and not only by their personal exertions, but by all the influence they can obtain, to endeavour to get repealed so much of an Act, passed in the 48th year of his present Majesty, called the Assessed Tax Act, as relates to the present inordinate power given to Inspectors of Districts; and to substitute in lieu thereof a clause, leaving all disputed points about the payment of Taxes to the discretion and decision of the present Commissioners, named under the above Act, subject to an appeal to any common Court of Justice.—The motion was seconded by Mr. Marsh, and carried *nem. con.* amidst universal applause.

OFFICIAL PAPERS.

AMERICAN DISPUTE.—*Correspondence, between* MR. R. SMITH, *the American Secretary of State, and* MR. F. J. JACKSON, *the English Envoy.*

MR. JACKSON TO MR. SMITH.

(Continued from p. 64.)

There is also this essential difference between the two cases, that Mr. Pinkney was charged to convey an important proposal to his Majesty's Government, the particulars of which it might be very material to have correctly stated; whilst the object of that part of my conversation, to which you seem to attach the most importance, was to say, that I was not charged to make any proposal whatever.—It could not enter into my view to withhold from you an explanation, merely because it had been already given, but, because having been so given, I could not imagine, until informed by you, that a repetition of it would be required at my hands. I am quite certain that his Majesty's Government, having complied with what was considered to be the substantial duty imposed upon it on this occasion, would, had this been foreseen, have added to the proofs of conciliatory good faith already manifested, the farther complacency to the wishes of the United States of adopting the form of communication most agreeable to them, and of giving, through me, the explanation in question. I have, therefore, no hesitation in informing you, that his Majesty was pleased to disavow the agreement concluded between you and Mr. Erskine, because it was concluded in violation of that gentleman's instructions, and altogether without authority to subscribe to the terms of it. These instructions, I now understand by your letter, as well as from the obvious deduction which I took the liberty of making in mine of the 11th inst. were at the time, in substance, made known to you; no stronger illustration, therefore, can be given of the deviation from them which occurred, than by a reference to the terms of your agreement.—Nothing can be more notorious than the frequency with which, in the course of a complicated negociation, Ministers are furnished with a gradation of conditions, on which they may be successively authorised to conclude. So common is the case which you put hypothetically, that in acceding to the justice of your statement, I feel myself impelled to make only one observation upon it, which is, that it does not strike me as bearing upon the consideration of the unauthorised agreement concluded here, inasmuch as in point of fact Mr. Erskine had no such graduated instruction. You are already acquainted with that which was given, and I have had the honour of acquainting you, that it was the only one by which the conditions on which he was to conclude were prescribed. So far from the terms, which he was actually inducted to accept, having been contemplated in that instruction, he himself states that they were sub-

stituted by you in lieu of those originally proposed.—It may perhaps be satisfactory that I should say here that I most willingly subscribe, on this occasion, to the highly respectable authority which you have quoted; and I join issue with you upon the essentials which that authority requires, to constitute a right to disavow the act of a public minister.—It is not immaterial to observe on the qualification contained in the passage you have quoted, as it implies the case of a minister concluding in virtue of a full power. To this it would suffice to answer, that Mr. Erskine had no full power; and his act consequently does not come within the range of your quotation, although it cannot be forgotten, that the United States have, at no very distant period, most freely exercised the right of withholding their ratification from even the authorised act of their own diplomatic agents, done under the avowed sanction of a full power.—I conceive that what has been already said, establishes beyond the reach of doubt or controversy, that his Majesty's Minister did violate his instructions, and the consequent right in his Majesty to disavow an act so concluded. That his Majesty had strong and solid reasons for so doing, will appear not only from his instructions having been violated, but from the circumstance that the violation of them involved the sacrifice of a great system of policy, deliberately adopted and acted upon, in just and necessary retaliation of the unprecedented modes of hostility resorted to by his enemy.—There appears to have prevailed throughout the whole of this transaction, a fundamental mistake, which would suggest that his Majesty had proposed to propitiate the Government of the United States, in order to induce it to consent to the renewal of the commercial intercourse between the two countries: as if such had been the relations of Great Britain and America, that the advantages of that intercourse were wholly on the side of the former; and as if in any arrangement, whether commercial or political, his Majesty could condescend to barter objects of national policy and dignity for permission to trade with another country.—Without minutely calculating what may be the degree of pressure felt at Paris by the difference in the price of goods, whether landed at Havre or at Hamburgh, I will, in my turn, appeal to your judgment, Sir, whether it be not a strong and solid reason, worthy to guide the councils of a great and powerful monarch, to set bounds to that spirit of encroachment and universal dominion which would bend all things to its own standard. Is it nothing, in the present state of the world, when the agents of France authoritatively announce to their victims "that Europe is submitting and surrendering by degrees," that the world should know, there is a nation which, by that Divine goodness, so strongly appealed to in the paper to which I allude *, is enabled to falsify the assertion? Is it not important, at such a moment, that Europe and America should be convinced, that, from whatever countries honourable and manly resistance to such a spirit may have been banished, it will still be found in the Sovereign of the British nation, and in the hearts of his subjects?—As to the precautions taken in England to insure from injury upon this occasion the citizens of the United States, and which appear to you to be even yet insufficient, I am confident that in every doubtful case the usual liberality of our tribunals will be exercised in determining upon the circumstances of it; and it was at Mr. Pinkney's express requisition, that additional instructions were given to the Commanders of his Majesty's ships of war and privateers to extend to vessels trading to the colonies, plantations, and settlements of Holland, the same exemptions from capture and molestation, as was granted to vessels sailing for any of the ports of Holland.—On the subject of return cargoes from those ports, I must observe, that although it was intended to prevent, as far as was practicable, the inconveniencies likely to be created by the unauthorised agreement made here in April last, yet it was not and could not be intended to obviate all possible inconveniencies, even such as might have arisen if no such agreement had ever been made. —If an American vessel had sailed from America for Holland, in time of profound peace, or in time of war, the ports of Holland not being at the date of sailing under blockade, it might yet have happened that, in the period between the commencement of such voyage and the arrival of the vessel at the port of destination, a blockade might have been established before that port. The vessel arriving would, in that case, have been warned not to enter the port, and would have been turned away with the loss of the whole object of the

* Augereau's Proclamation to the Catalonians.

voyage. This would be no extraordinary hardship, and would afford no legitimate ground of complaint.—The Order in Council is far less strict than such a blockade would be, forasmuch as it provides for the original voyage, commenced in expectation of being admitted to the port of destination, by permitting the entry into the ports of Holland; and it is no just ground of complaint, that it does not superadd to that permission the liberty to re-export a cargo of the enemy's goods or produce.—I beg leave briefly to recapitulate the substance of what I have had the honour to convey to you, as well in a verbal as written communications.—I have informed you of the reasons of his Majesty's disavowal of the agreement so often mentioned; I have shewn them, in obedience to the authority which you have quoted, to be both strong and solid; and such as to outweigh, in the judgment of his Majesty's Government, every other consideration which you have contemplated. I have shewn that that agreement was not concluded in virtue of a full power, and that the instructions given on the occasion were violated.—Beyond this point of explanation, which was supposed to have been attained, but which is now given, by the present letter, in the form understood to be the most agreeable to the American Government, my instructions are prospective; they look to substituting for notions of good understanding, erroneously entertained, practical stipulations, on which a real reconciliation of all differences may be substantially founded; and they authorize me, not to renew proposals which have already been declared here to be unacceptable, but to receive and discuss any proposal made on the part of the United States, and eventually to conclude a Convention between the two countries. It is not, of course, intended to call upon me to state, as preliminary to negociation, what is the whole extent of those instructions: they must, as I have before said, remain subject to my own discretion, until I am enabled to apply them to the overtures which I have the honour of receiving from you.—I have the honour to be, with the greatest respect, Sir, your most obedient humble servant, F. J. JACKSON.

MR. JACKSON TO MR. SMITH.

Washington, Oct. 27, 1809.

SIR,—Finding by your letter of the 17th instant, that notwithstanding the frequent statements made by me in our conferences of the terms of satisfaction which I am empowered to offer to this country for the unauthorised attack made by one of his Majesty's ships of war upon the frigate of the United States, the Chesapeake, I have not had the good fortune to make myself distinctly understood by you, I have the honour to inclose herewith a paper of memoranda, containing the conditions, on the basis of which I am ready to proceed to draw up with you the necessary official documents, in the form proposed in my letter of the 11th instant, or in any other form upon which we may hereafter agree. I have the honour to be, with great respect, Sir, your most obedient humble servant, F. J. JACKSON.

Inclosure in the above.

"The President's Proclamation of July, 1807, prohibiting to British ships of war the entrance into the harbours of the United States, having been annulled, his Majesty is willing to restore the seamen taken out of the Chesapeake, on reserving to himself a right of claim, in a regular way, by application to the American Government, of the discharge of such of them (if any) as shall be proved to be either natural born subjects of his Majesty, or deserters from his Majesty's service. His Majesty is willing to make a provision for the families of such men, as were slain on board the Chesapeake in consequence of the unauthorized attack upon that frigate, provided that such bounty shall not be extended to the family of any man who shall have been either a natural born subject of his Majesty, or a deserter from his Majesty's service."

MR. SMITH TO MR. JACKSON.

Department of State, Nov. 1, 1809.

SIR; Your letter of the 23d ult. which was duly received, would have been sooner acknowledged, had I not by sickness been rendered for several days utterly unfit for business. Although the delay and the apparent reluctance in specifying the grounds of the disavowal of the arrangement with respect to the Orders in Council, do not correspond with the course of proceeding deemed most becoming the occasion; yet, as the explanation has at length been thus made, it only remains, as to that part of the disavowed arrangement, to regret that such considerations should have been allowed to outweigh the solid objections to the disavowal; It being understood at the same time, that his Brit-

tannic Majesty perseveres in requiring as indispensible conditions on the part of the United States, an entire relinquishment of the right to trade with enemies colonies, and also permission to the British navy to aid in executing a law of Congress; pretensions which cannot but render abortive all proposals whatever upon this subject, whether made by the United States or by his Britannic Majesty. Whilst you have deemed it proper to offer an explanation with respect to the disavowal of one part of the arrangement, I must remind you that there is not to be found in your letter any like specification of the reasons for the disavowal, nor particularly is it shown that instructions were violated, as to the other part, viz. the case of the Chesapeake—the case in which, in an especial manner, an explanation was required, and in which only you professed to have authority to make in this Government any overtures. For the first time it is now disclosed that the subjects, arranged with this Government by your predecessor, are held not to be within the authority of a Minister Plenipotentiary, and that not having had a full power distinct from that authority, his transactions on those subjects might of right be disavowed by his Government. This disclosure, so contrary to every antecedent supposition and just inference, gives a new aspect to this business. If the authority of your predecessor did not embrace the subjects in question, so as to bind his Government, it necessarily follows, that the only credentials yet presented by you, being the same as those presented by him, give you no authority to bind it; and that the exhibition of a full power for that purpose, such as you doubtless are furnished with, is become an indispensible preliminary to further negociation; or to speak more strictly, was required in the first instance by the view of the matter now disclosed by you. Negociation without this preliminary would not only be a departure from the principle of equality which is the essential basis of it, but would moreover be a disregard of the precautions and of the self-respect enjoined on the attention of the United States by the circumstances, which have hitherto taken place. I need scarcely add, that in the full power alluded to, as a preliminary to negociation, is not intended to be included either the whole extent or any part of your instructions for the exercise of it. These of course as you have justly remarked, remain subject to your own discretion. I abstain, Sir, from making any particular animadversions on several irrelevant and improper allusions in your letter not at all comporting with the professed disposition to adjust in an amicable manner the differences unhappily subsisting between the two countries. But it would be improper to conclude the few observations to which I purposely limit myself, without adverting to your repetition of a language implying a knowledge on the part of this Government that the instructions of your predecessor did not authorise the arrangement formed by him. After the explicit and peremptory asseveration that this Government had no such knowledge, and that with such a knowledge no such arrangement would have been entered into, the view which you have again presented of the subjects, makes it my duty to apprise you, that such insinuations are inadmissible in the intercourse of a foreign minister with a government that understands what it owes to itself.

I have the honour to be, &c.

(Signed) R. SMITH.

MR. JACKSON TO MR. SMITH.

Washington, Nov. 4, 1809.

SIR; When I forwarded to my Court your letter of the 19th ult. and the answer which I returned to it, I imagined, and I may add, I hoped, that the retrospective correspondence, into which you thought it necessary to enter with me, had been closed. You will, no doubt, recollect with what reluctance I acquiesced in your intimation on this head; not, as I believe has been seen, from any difficulty in maintaining the justice of the cause which is entrusted to me, but because I was and still am of opinion that this sort of correspondence is not calculated to remove differences and soothe the irritations of the most unfortunate tendency. As however, I had no choice but to renounce, for the present, the hope of effectuating this desirable object, or to pursue it in the manner prescribed in your letter of the 9th ult. so as I am now unwillingly compelled to enter upon the consideration of another letter from you under date of the 1st. instant, which but too strongly confirms the opinion I before entertained. Since, Sir, it has been judged expedient to confine to a written form this important and interesting discussion; since that more has been declared by you to be indispensible, I will first appeal to the written communica-

tion which have passed between us; and I do this with the greater satisfaction, because I consider it to be the chief cause of the present remarkable state of things, that of speaking of engagements contracted, or supposed to have been contracted, between the two countries, 'understandings' or implied engagement,' have been allowed to take place of written compass, and have been considered, in some instances, as having the same validity. It is furthermore necessary to place in the most unequivocal light a topic, which I observe to be constantly and prominently re-stated in your letters, notwithstanding the repeated but, as it should seem, fruitless endeavours used in mine, to clear it from the slightest shadow of obscurity. You say, that it is understood that his Britannic Majesty perseveres in requiring, as indispensible conditions on the part of the United States, an entire relinquishment of the right to trade with the enemies' colonies, and also of permission to the British navy to aid in executing a Law of Congress. The same statement is contained in your letter of the 9th ult. and represented as the substance of what had fallen from me in our previous conferences. In my answer to that letter, I took the liberty of shewing that such a supposition was erroneous; and I have looked in vain to my letter of the 23d. to find in it any suggestion of a similar tenor. I believe, therefore, that by reference to my two letters you will find, that the statement now again brought forward is contained in neither of them; that it made no part of my previous conversation with you, and that I have in no way given room to suppose that I ever made any such statement at all. That before the Orders in Council can be revoked, their object must be obtained in some other way, is unquestionably true: but you may be assured, Sir, that there is no wish whatever entertained in England, that the British navy should be employed in executing a Law of Congress. If the proposal that was made upon that subject, and made as you now know, because it was believed to be acceptable here, had been adopted, and had become a matter of compact between the two countries and thereby a part, not of the Law of Congress, but of the public law binding upon both parties, and which both would have had a common interest in seeing duly executed; in that case the agency of the British navy would not have had the invidious aspect which is now attempted to be given to it. At present there is no engagements between the two countries, no Laws of Congress which bear a reference to any such engagement, and consequently it cannot be wished to take any share whatever in the execution of those laws. In regard to the colonial trade, I need only observe, that all, or nearly all, the enemies colonies are blockaded by British squadrons: it cannot therefore be so much an object of solicitude as you imagine, to obtain the relinquishment of the trade of any country to those colonies. On the contrary, you will find it stated in my letter of the 11th ult. to be a matter of indifference whether the Order in Council, (on this subject) be continued or an arrangement by mutual consent substituted in its room. When I informed you that the agreement concluded here in April last, had been framed in deviation from the instructions given for the occasion, my explanation was intended to apply to both parts of that agreement. That nothing, required by the most scrupulous accuracy, may be wanting, I now add, that the deviation consisted in not recording in the official document signed here, the abrogation of the President's Proclamation of the 2d July, 1807, as well as the two reserves specified in the paper of Memoranda inclosed in my official letter to you of the 27th ult. There is another motive for the disavowal of this part of the arrangement considered to be so strong and so self-evident upon the very face of the transaction, that I am not commanded to do more than indicate it in the manner I have already done. By this forbearance his Majesty conceives that he is giving an additional pledge of his sincere disposition to maintain a good understanding with the United States.—I am somewhat at a loss to give a distinct reply to that part of your letter which relates to Mr. Erskine's authority to conclude with you, in virtue of his general letter of credence, because I do not very distinctly understand the tendency of it. I never before heard it doubted that a full power was requisite to enable a Minister to conclude a treaty, or that a mere general letter of credence was insufficient for that purpose.—If it were otherwise, and a Government were in all cases to be bound by the act, however unauthorized, of an accredited Minister, there would be no safety in the appointment of such a minister, and ratification would be useless. No full power was given in the present case, because it was not a treaty, but the materials for forming

a treaty, that was in contemplation.—In this dispatch of the 23d of January, Mr. Secretary Canning distinctly says to Mr. Erskine—"Upon receiving through you, on the part of the American Government, a distinct and official recognition of the three above-mentioned conditions, his Majesty will lose no time in sending to America a Minister fully empowered to consign them to a formal and regular treaty."—This Minister would, of course, have been provided with a full power; but Mr. Erskine was to be guided by his instructions, and had the agreement concluded here been conformable to them, it would without doubt have been ratified by his Majesty. I must beg your very particular attention to the circumstance, that his Majesty's ratification has been withheld, not because the agreement was concluded without a full power, but because it was altogether irreconcileable to the instructions on which it was professedly founded. The question of the full power was introduced by yourself to give weight, by a quotation from a highly respected author, to your complaint of the disavowal, in answer to which I observed, that the quotation did not apply, as Mr. Erskine had no full power. Never did I imagine, or any where attempt, to rest the right of the avowal upon that circumstance; indubitably his agreement would, nevertheless, have been ratified, had not the instructions, which in this case took the place of a full power been violated.—I am surprised at the transition by which it appears to you that this part of the subject is connected with the authority empowering me to negotiate with you. It will not, I dare say, have escaped your recollection that I informed you, at a very early period of our communications, that in addition to the usual credential letter, his Majesty had been pleased to invest me with a full power under the Great Seal of his kingdom, for the purpose of concluding a treaty or convention. I well remember your testifying your satisfaction at the circumstance, and I have now only to add, that I am ready, whenever it suits your convenience, to exchange my full power against that with which you shall be provided for the progress of our negotiation.—I am concerned, Sir, to be obliged a second time to appeal to those principles of public law, under the sanction and protection of which I was sent to this country. Where there is not freedom of communication in the form substituted for the more usual one of verbal discussion, there can be little useful intercourse between Ministers; and one, at least, of the epithets which you thought proper to apply to my last letter, is such as necessarily abridges that freedom. That any thing therein contained may be irrelevant to the subject, it is, of course, competent in you to endeavour to shew; and as far as you succeed in so doing, in so far will my argument lose of its validity—but as to the propriety of my allusions, you must allow me to acknowledge only the decision of my own Sovereign, whose commands I obey, and to whom alone I consider myself responsible. Beyond this, it suffices that I do not deviate from the respect due to the Government, to which I am accredited.—You will find that in my correspondence with you, I have carefully avoided drawing conclusions, that did not necessarily follow from the premises advanced by me, and least of all should I think of uttering an insinuation, where I was unable to substantiate a fact. To facts, such as I have become acquainted with, them, I have scrupulously adhered; and in so doing I must continue, whenever the good faith of his Majesty's Government is called in question, to vindicate its honour and dignity, in the manner that appears to me the best calculated for that purpose.—I have the honour to be, with great respect, Sir, your most obedient humble servant, F. J. JACKSON.

MR. SMITH TO MR. JACKSON.

Department of State, Nov. 8, 1809.

Sir;—In my letter of the 19th ult. I stated to you the declaration in your letter of the 11th, that the dispatch "from Mr. Canning to Mr. Erskine, of the 23d of January, was the only dispatch by which the conditions were prescribed to Mr. Erskine, for the conclusion of an arrangement on the matter to which it related, was then for the first time made to this Government." And it was added that if that dispatch had been communicated at the time of the arrangement, or if it had been known that the propositions contained in it were the only ones on which he was authorised to make an arrangement the arrangement would not have been made.—In my letter of the 1st instant, adverting to the repetition in your letter of the 2d ult. of a language implying a knowledge in this Government that the instructions of your predecessor did not authorise the arrangement formed by him, an in-

timation was distinctly given to you that after the explicit and peremptory asseveration that this Government had not any such knowledge, and that with such a knowledge, such an arrangement would not have been made, no such insinuation could be admitted by this Government.—Finding that in your reply of the 4th inst. you have used a language which cannot be understood but as reiterating and even aggravating the same gross insinuation, it only remains, in order to preclude opportunities which are thus abused, to inform you that no further communications will be received from you, and that the necessity of this determination will, without delay, be made to your Government. In the mean time a ready attention will be given to any communication affecting the interests of the two nations, through any other channel that may be substituted.

I have the honour to be, &c.

(Signed) R. SMITH.

Mr. Oakley, his Majesty's Secretary of Legation, is desired by Mr. Jackson to state to the Secretary of State, that, as Mr. Jackson has been already once most grossly insulted by the inhabitants of the town of Hampton, in the unprovoked language of abuse held by them to several Officers bearing the King's uniform, when those Officers were themselves violently assaulted, and put in imminent danger; he conceives it to be indispensible to the safety of himself, of the gentlemen attached to his mission, and of his family during the remainder of their stay in the United States, to be provided with special passports or safeguards from the American Government. This is the more necessary, since some of the newspapers of the United States are daily using a language, whose only tendency can be to excite the people to commit violence upon Mr. Jackson's person. In consequence, he requests that the undermentioned names may be inserted in the document to be furnished him. Francis James Jackson, Mrs. Jackson, their three children. Charles Oakley, esq. his Majesty's Secretary of Legation. Mr. George Ottly, Private Secretary. Servants:—Robert Clavering, Francis Martin, William Attree, Charles Beecroft, Richard Lowe, John Price, John Lilly, James Wright, Amelia George, Mary Smith, Harriet Patten, Martha Wood, Frances Bracknell.

[Received at the Department of State, on Nov. 11, 1809.]

Mr. Oakley is desired by Mr. Jackson to say to the Secretary of State:—

That Mr. Jackson has seen with much regret, that facts which it has been his duty to state in his official correspondence, have been deemed by the American Government to afford a sufficient motive for breaking off an important negotiation, and for putting an end to all communication whatever with the Minister charged by his Sovereign with that negociation, so interesting to both nations, and on one point of which an answer has not even been returned to an official and written overture.—One of the facts alluded to has been admitted by the Secretary of State himself in his letter of the 19th Oct. viz. that the three conditions forming the substance of Mr. Erskine's original instruction were submitted to him by that gentleman. The other, viz. that that instruction is the only one in which the conditions were prescribed to Mr. Erskine for the conclusion of an arrangement on the matter to which it related, is known to Mr. Jackson by the instructions which he has himself received.—In stating these facts, and in adhering to them, as his duty imperiously enjoined him to do, Mr. Jackson could not imagine that offence would be taken at it by the American Government, as most certainly none could be intended on his part; but since he has been informed by the Secretary of State that no farther communications will be received from him, he conceives that he has no alternative that is consistent with what is due to the King's dignity, but to withdraw altogether from the seat of the American Government, and wait the arrival of his Majesty's commands upon the unlooked for turn which has thus been given to his affairs in this country.—Mr. Jackson means to make New-York the place of his residence.

Washington, Nov. 13, 1809.

MR. SMITH TO MR. PINKNEY.

Department of State, Nov. 23, 1809.

SIR—My letters in the correspondence with Mr. Jackson, already transmitted to you, sufficiently evince the disappointment that was felt, on finding that he had not been charged to make to this Government either the frank explanations or the liberal propositions, which the occasion manifestly required. Instead of this obvious course of proceeding, it was in the outset perceived that his object was to bring us to resume the subjects of the arrangements of April, in a way that would imply that

we were aware that the arrangement was not binding on his Government, because made with a knowledge on our part that Mr. Erskine had no authority to make it, and thus to convert the responsibility of his Government for the disavowal, into a reproach on this for its conduct in the transaction disavowed. In the first instance it was deemed best rather to repel his observations argumentatively, than to meet them as an offensive insinuation. This forbearance had not the expected effect of restraining him from a repetition of the offence; and even on his farther insinuations, nothing more was done than to premonish him of the inadmissibility of so indecorous a course of proceeding. This also being without effect, nothing remained but the step finally taken, and there was the less hesitation in shutting door to further opportunities for insulting insinuations, as the disclosures he had made, and the spirit of his discussions, had so entirely shut it to the hope of any favourable result from his mission.—I will not dwell on his reluctance to give up the uncertainties of verbal for the precision of written discussion; nor on the manner or the time of his denial that he had given any room at all for a statement, which, in order to guard against the misconceptions incident to verbal conferences, I had placed before him in writing, with a request that he would point out any inaccuracies, and to which he did not then object otherwise than by intimating, that he could not have made the statement with the particular view which seemed to be supposed. Nor will I dwell on the various instances in which partial or inconsistent views of the subject have taken place of its real merits. But it may not be amiss to make some observations on the correspondence, as it relates to the justification of his Government in having disavowed the act of his predecessor.—With respect to the Orders in Council, the ground of the disavowal is the difference between the arrangement and the printed dispatch of Mr. Canning to Mr. Erskine of the 22d January. According to this dispatch then, the arrangement failed in three points.—1st. In not relinquishing the trade of the United States with enemies colonies.—With respect to this point, it is not necessary at this time to discuss the right of that trade. It is sufficient to remark, 1st, that as the trade is admitted to have become, in the view of Great Britain, of little practical importance, why has it been made a ground of the disavowal, and especially, as important considerations only could, upon principles of public law, have justified a measure of so serious a character? 2d, That as the colonial trade is a subject no wise connected either with the Orders in Council, or with the affair of the Chesapeake, why has it been permitted to frustrate an arrangement relating to those subjects; and to those only? 3d, That as this condition is allowed to have originated in a supposition, that it would be agreeable to the American Government, why has it been persisted in after the error was made known by the representation of Mr. Erskine to his Government, that neither this nor the other conditions of the dispatch of 23d January were attainable here?—2d. Another point in the dispatch, and not in the arrangement, is, that the British navy might capture our trade to ports prohibited by the United States.—This condition too appears to have had its origin in a mistake of your meaning in a conversation with Mr. Canning, as noted by yourself, and in an inference thence deduced as to the disposition of this government. But this double mistake must have been brought to light in time to have been corrected in the new mission. In urging it, Mr. Canning has taken a ground forbidden by those principles of decorum which regulate and mark the proceedings of Governments towards each other. In his dispatch the condition is stated to be for the purpose of securing the *bona fide* intention of America to prevent her citizens from trading with France and certain other powers. In other words, to secure a pledge to that effect against the *mala fide* intention of the United States. And this dispatch too was authorised to be communicated *in extenso* to the Government of which such language was used. Might it not have been reasonably expected that such a condition and such observations would at least, on such an occasion, have been given up by a Government, willing to smooth the way to an amicable settlement of existing differences? In his zeal to vindicate his government, Mr. Jackson too has attempted a gloss on this most extraordinary idea of calling on a foreign sovereignty, not indeed to make laws for us, but, what is equivalent in principle, to supply a supposed inability to execute them. He calls such an interposition of his Government not an execution of the law of Congress, but of compact binding

as a public law on both parties, and which both would have a common interest in seeing duly executed. On his own principle there ought to be a reciprocity. not only in the execution of the compact, but in the obligation and interest resulting from it. Besides, where there is a reciprocity in compacts between nations touching attributes of sovereignty there is always as much of sovereignty gained as is parted with, so that there be no loss nor indignity on either side.—3d. The remaining point in the dispatch, not secured by the arrangement, is that which required that whilst our prohibitory laws should be repealed as to Great Britain, they should be left in force as to France and the powers adopting or acting under her Decrees.—This is the condition which alone properly belongs to the subject; and it is to be remarked, in the first place, that the British project, of which this condition makes a part, contemplated two things in their nature incompatible; one, a repeal of the prohibitory acts as to Great Britain, without waiting for the conclusion of a regular treaty; the other a pledge, or engagement for their continuance as to the other powers. Now, from the nature of our Constitution, which, in this particular, ought to have been attended to by the British Government, it is manifest that the Executive authority could have given no such pledge, that the continuance of the Prohibitory Acts, being a subject of legislative consideration, could not have been provided for until the meeting of the Legislature, and that the condition could not, therefore, but have failed, either in the immediate renewal of commerce with Great Britain, or in the immediate engagement that it should not be renewed with France. The British Government ought to have acquiesced in, and indeed ought to have been satisfied with the attainment of the important object of an immediate repeal of our prohibitory laws; and with the consideration, that the other object, not immediately attainable, was unnecessary at the time, because the prohibition as to France was then in force, and because there was every reason to infer, not only from this fact, but from the spirit of the communications made from time to time, and from the overtures before submitted to the British Government, that, without a repeal of the French Decrees, our prohibitory laws would be continued in force against France, and especially in the case of a repeal of the British Orders. which would necessarily render a continuance of the French Decrees doubly obnoxious.—But, if, on this head, doubts could have been entertained, instead of rejecting the arrangement, ought not the Repealing Act on our part to have been met with a suspension, at least, of the Orders in Council, until it could have been seen whether the Non-intercourse Law would or would not have been continued against France? Such a suspension could not have given, in any point of view, more advantage to the United States, than was given to Great Britain by the repeal, which had taken place on their part.—If this reasonable course could not have been substituted for the disavowal, why was not a final disavowal suspended with a proposition, that the arrangement would be executed by Great Britain in the event of a compliance on the part of the United States with the condition required as to France?—I am not unaware, you may be told, that the Non-intercourse law of the United States did not extend to Holland, though so intimately connected with France, and so subservient to her Decrees against neutral commerce. — It would not be improper on this occasion to observe, that this objection can be the less urged by Great Britain, as she has herself never in her alledged retaliations adhered to her principles on which they were founded—Thus she has, from the date of them, until very lately, directed them against the American trade even to Russia, although Russia had never adopted the French Decrees, nor otherwise violated our neutral trade with Great Britain. So, in her Order of April last, she has discriminated, not only between the countries devoted to France by the ties of blood, and other powers, but between Holland, Westphalia, and Naples, in enforcing her prohibitory Order against the first and not the two last. Whilst, therefore, she finds it expedient to make these distinctions, she ought to presume, that we, too, may perceive equal propriety in the distinctions we have made.—But it may be of more importance here to compare the British Order in Council of April last, with the arrangement of April, made by Mr. Erskine. It will thence be seen how little is the real difference, and how trivial it is when compared to the extensive and serious consequences of the disavowal.—Under the Order in Council of April, all the ports of Europe, except France, including the kingdoms of Italy and Holland with their dependencies,

are opened to our commerce.—Under the arrangement of April, combined with our Act of Non-intercourse, all the ports of Europe, except France and her dependencies, including the kingdom of Italy, would have been opened to our commerce.—The difference then is reduced merely to Holland, and that again is reduced to the difference between a direct trade to the ports of Holland, and an indirect trade to Holland, through Tonningen, Hamburgh, Bremen, and Embden.—Now, as the injuring of the enemies of Great Britain is the only avowed object of her interdicting Order against our trade, let a computation be made of the effect which this difference between the Order in Council and the arrangement could possibly have in producing such an injury. And then let the question be candidly answered, whether, laying aside all considerations of right and justice, sufficient inducement could have been found in that result for rejecting the arrangement, and for producing the consequent embarrassments, as well to Great Britain as to the United States.—If it be necessary, as Mr. Jackson has stated, to set bounds to a spirit of encroachment and universal dominion, which would bind all things to its own standard, and to falsify by honourable and manly resistance, an annunciation that all Europe is submitting by degrees, effort must be feeble, indeed, which is to be found in the inconvenience accruing to the formidable foe from the operation of this Order in Council; and especially when we combine with it the strange phenomenon of substituting for the lawful trade of the United States a trade of British subjects, contrary to the laws of the adverse party, and amounting, without a special licence, in the eye of British law, to high treason.

Thus much for the Orders in Council. What has taken place with respect to the Chesapeake will equally engage your attention. You will perceive, that throughout the early stages of the correspondence, this case was, in some respects, improperly confounded with, in others improperly separated from, that of the Orders in Council; and particularly that pains had been taken by Mr. Jackson to substitute verbal and vague observations on the disavowal of this part of the arrangement, for an explicit and formal explanation, such as was obviously due. It will be seen also, that, when finally brought to the point, he referred for a justification of the disavowal to the departure of Mr. Erskine from his instructions, without shewing what those instructions were, and to allusions to an expression in the arrangement, without giving to his meaning the distinctness prerequisite to a just reply. It appears, however, that he lays great stress on the proposal enclosed in his letter of the 27th October, as at once indicating the departure of Mr. Erskine from his instructions; and as containing the conditions on the basis of which he was ready to enter on an adjustment. And from a note from the Secretary of the British Legation, it appears that he has complained of not having received an answer to his proposal, as he had before complained that no answer had been given to his verbal disclosure on this head in his interviews with me. With respect to his intimations in conversation, as they were preceded by no proper assignment of the reasons for not having executed the original adjustment: it cannot be necessary to remark, that no such notice, as he wished to obtain, could, with any sort of propriety, have been taken of them. With respect to his written project, it will suffice to remark, 1st, That besides his reluctant and indistinct explanation of the disavowal of the original adjustment, he did not present his proposal until he had made such progress in his offensive insinuation as made it proper to wait the issue of the reply about to be given to it; and that this issue had necessarily put a stop to further communications. 2dly, That although he had given us to understand that the ordinary credentials, such alone as he had delivered, could not bind his Government in such a case, his proposal had neither been preceded by nor accompanied with the exhibition of other commission or full power: Nor, indeed, has he ever given sufficient reason to suppose that he had any such full power to exhibit in relation to this particular case. It is true, that in his letter of the 23d of October, he had stated an authority eventually to conclude a convention between the two countries. Without adverting to the ambiguity of the term 'eventually' with the mark of emphasis attached to it, and to other uncertainties in the phraseology, it is clear that the authority referred to, whatever it may be, is derived from instructions subject to his own discretion, and not from a patent commission, such as might be properly called for. It is true also that in his letter of the 4th of November, subsequent to his proposal: he says he was possessed

of a full power in due form for the express purpose of concluding a Treaty or Convention.—But it still remains uncertain, whether by the Treaty or Convention to which it related was not meant an eventual or provisional Treaty on the general relations between the two countries, without any reference to the case of the Chesapeake.—Certain it is that the British government, in former like case, as will be seen by the adjustment of that part of the affair at Nootka Sound, which is analogous to this case, did not consider any such distinct full power as necessary; nor is there the slightest ground for supposing that Mr. Erskine, although confessedly instructed to adjust this very case of the Chesapeake, was furnished with any authority distinct from his credential letter. That Mr. Jackson has any such commission is the less to be supposed, as it is but barely possible, that possessing it, he should not, on some occasion, or in some form, have used a language susceptible of no possible doubt on this point.—But proceeding to the proposal itself, it is to be kept in mind, that the conditions forming its basis are the very conditions for the deviating from which Mr. Erskine's adjustment was disavowed. Mr. Jackson, if not on others, is on this point explicit. "I now add (says he) that the deviation consisted in not recording in the official document signed here the abrogation of the President's proclamation of the 2d July, 1807, as well as the two reserves specified in the paper of memoranda enclosed in my official letter to you of the 27th ult."—Considering then the conditions in the proposal as an ultimatum, in what light are we compelled to view such an attempt to repair the outrage committed on the frigate Chesapeake, and to heal the disappointment produced by a disavowal of a previous equitable reparation?—It is impossible on such an occasion not to recal the circumstances which constituted the character of the outrage to which such an ultimatum is now applied. A national ship proceeding on an important service, was watched by a superior naval force, enjoying at the time the hospitality of our ports, was followed, and scarcely out of our waters when she was, after an insulting summons, attacked in a hostile manner, and the ship so injured as to require expensive repairs, the expedition frustrated, a number of the crew killed and wounded, several carried into captivity, and one of them put to death under a military sentence. The three seamen, though American citizens, and therefore on every supposition detained as wrongfully as the ship would have been detained, have, notwithstanding, remained in captivity between two and three years; and it may be added, after it has long ceased to be denied, that they are American citizens.—Under these circumstances we are called upon to ransom the captives.

1st. By acknowledging that a precautionary proclamation, justified by events preceding the outrage, by the outrage itself, and by what immediately followed it, was unjustifiable, and that a repeal of it was properly a condition precedent to a reparation for the outrage. And this requisition is repeated too, after such an acknowledgment had been uniformly asserted by this Government to be utterly inadmissible, and, what is particularly remarkable, at a time when the proclamation, as is well understood, was no longer in force. The occasion obviously invited a silent assumption of the existing fact, and this would have excluded the difficulty heretofore found to be insuperable.—2d. By throwing into complete oblivion the conduct of the officer answerable for the murderous transaction, with a knowledge, too, on our part, that instead of being punished, or even brought to trial, he has been honoured by his Government with a new and more important command.—3d. By admitting a right on the part of Great Britain to claim a discharge from our service of deserters generally, and particularly of her natural born subjects, without excepting such as had been naturalized in due form under the laws of the United States.—It has not been explained, whether it was meant, as the universality of the term "deserter" would import, to include American citizens who might have left the British service.—But what possible consideration could have induced the British Government to expect that the United States could admit a principle that could deprive our naturalized citizens of the legal privileges which they hold in common with their native fellow-citizens?

(To be continued.)

LONDON:—Printed by T. C. HANSARD, Peterborough-Court, Fleet-Street;
Published by R. BAGSHAW, Brydges-Street, Covent-Garden:—Sold also by J. BUDD, Pall-Mall.

COBBETT'S WEEKLY POLITICAL REGISTER.

VOL. XVII. No. 5.] LONDON, SATURDAY, FEBRUARY 3, 1810. [Price 1s.

"Furthermore, they have laid us open to all our enemies; whoever will invade, may not doubt to "subdue us: for they have taken from us the sinews of war, that is *Money* and *Courage*; all our "money is gone, and they have exhausted the treasure of the nation; and *when people are poor, their "spirits are low*, so that we are left without a defence; and who must we thank for bringing us into this "despicable condition, but these gentlemen, who, notwithstanding this, *had the face to stile themselves "the* KING'S FRIENDS, and all those who opposed their practices were FACTIOUS and SEDITIOUS. "They had brought it to that pass that whensoever any gentleman that had a true English spirit, hap- "pened to say any thing that was bold, presently away to seek the king and tell him of it; and often- "times more than the truth: and thus they endeavour to beget *an ill opinion in the king of his best "subjects*: and their practice was the more abominable, because their words and actions gave the "occasion to force those smart expressions from the gentlemen that spoke them; for their honest hearts "were filled with true zeal to their king and country, when they beheld *the impudence and falseness of "those Pensioners.* "Kings that dote too much upon their Favourites, do for the most part *pick up* MEAN MEN, *people of "no fortunes or estates*, upon whom it is that they place their favour to so high a degree; and, there- "fore, it is for *their* interest to advise the king to govern by an Army, for if he prevails, then they are "sure to have what heart can wish; or if he fail, *yet they are but where they were*: they *had nothing*, "and they *can lose nothing*."——MR. BOOTH'S Speeches, in the House of Commons, in the reign of Charles II. and in 1680. See Parliamentary History; Vol. IV. pages 1268 and 1272.

SUMMARY OF POLITICS.

PARLIAMENTARY PROCEEDINGS.——I. *Opening of the Session:* II. *Lord Porchester's Motion for Inquiry:* III. *Lord Cochrane's Motion about Lord Gambier's Court-Martial:* IV. *Mr. Manning's Complaint against the News-papers.*——I. The Opening of the Session was noticed in my last, at page 104, and the King's Speech was inserted at page 113. For the sake of having a more clear view of what has passed, or, at least, of what had passed up to Monday night, the 29th of January, I will here just restate, that, upon the question of the *Amendment*, which was moved on the first day of the Session, the minister had, in the House of Lords, 144 votes against 92; and that, in the House of Commons, they had 263 against 167. The Amendment, as will be seen by a reference to it, contained a *censure* upon the conduct of the ministers, and also a declaration, that *inquiry* was necessary. How any man, at all informed of what had taken place in Spain and in Walcheren, could, for one single moment, hesitate as to whether the conduct of the ministers merited censure, is, to me, utterly incomprehensible. Yet, many there were who would not, as they said, censure *without inquiry!*——II. Well, they were soon *put to the test* upon this point; for, on Friday, the 26th, came LORD PORCHESTER with a motion for "the House going into a com- "mittee to take into consideration the "policy and conduct of the Expedition to "Walcheren." The speech, by which this motion was prefaced was, it appears, greatly applauded: but, not beyond its deserts; for there has seldom appeared, in a news-paper report, a speech so eloquent as this, and, at the same time, so replete with clear and forcible statement, correct reasoning, and good sentiment. There wanted, indeed, nothing at all to be said upon the subject; for, who could say, that inquiry ought not to take place? Aye; but there might be many, who, under pretence of *not pre-judging*, would endeavour to get rid of inquiry altogether.—The motion of LORD PORCHESTER was seconded by the HON. MR. QUIN. The task of opposing this motion was, it seems, allotted to a MR. CROKER, a briefless lawyer from Ireland, who, as the reader may recollect, cut a conspicuous figure during the Ducal Investigation, and who is now SECRETARY TO THE ADMIRALTY, with a salary of 4,000*l.* a year. This Mr. Croker opposed the motion of Lord Porchester by another motion for the *previous question*, which, as the reader very well knows, amounts to just the same thing as a direct negative to the proposition, to which it is opposed. This Mr Croker does not appear to me to have given any reason, worth a moment's attention, for this motion of his; but, he concluded with a pretty broad hint about *the king*, which it is quite proper to bear in mind, especially considering *the quarter whence it came.*—— He asked the House, the news-papers tell us, "Whether it was *dealing* "*fairly and respectfully by his Majesty* to

" vote for inquiry, when he had assured " them, that *satisfactory* documents should " be laid before them." The House does seem to have kicked a little at this. This, from Mr. Croker, does seem to have been going a little too far even for the House; and the thing was, by Mr. Bragge, resented pretty sharply. He gave it as his opinion, that, notwithstanding the lively spirit of Mr. Croker, the ministers had evinced no great sagacity in putting him forward as a spokesman, upon this occasion; and he deprecated in strong terms the use which this Mr. Croker had made of *the king's name.*——But, come, let us not be too severe upon this Mr. Croker's doctrine; for, I think, we must allow, that, for many years past, a pretty free use has been made of the king's name, both in the House and out of it. We must all remember, that, no longer ago than last winter, Mr. Canning not only made a similar use of the king's name, in the case of the Duke of York, but that he pushed forward the *age* and the *infirmities* of the king to boot; and this, too, without exciting any great degree of indignation in the House.——The truth is, I dare say, that this Mr. Croker had a desire to evince his friendship for his dearly beloved sovereign. And, really, when one considers the matter rightly, it would be hard to prevent him from shewing this ardent attachment of his. He is young too, in all probability, and we know, that, at that time of life, the feelings of affection, as well as all other feelings, are stronger than at a more advanced age. I dare say, that, anon, his love for the king, though not at all diminished, will become more subservient to reason; but, at present, I must confess, that I do not think this ebullition of loyal affection a thing to be so much found fault of, especially as the person, in whose heart it seems to reign, appears to have been formed by nature for the entertaining of this particular attachment.—— Mr. Perceval seconded the motion of this Mr. Croker. This speech, as coming from the person who is prime minister, is of consequence, and, therefore, I shall insert all of it that is material, in the least degree, as an answer to Lord Porchester, or rather, as to why the motion for a committee of inquiry should not be adopted.——The pretence was, that the king had, in the Speech, ordered the House to be assured, that he would cause *papers*, relative to the Expedition, to be laid before them; and that as these papers would be ready for delivery by Tuesday next, " he would ask, why should they now ap- " point a Committee to inquire, destitute " as they were of all information, when " his majesty, in his speech, had so soon " promised them information, which, he " trusted, would be satisfactory. What " was the object of Inquiry? Why, of " course, to get information; and this in- " formation they were certainly promised. " There was, of course, no necessity for " the motion, if that, indeed, was its ob- " ject, but they wanted to get the vote first. " The only object of the vote could be to " get information; and was it not then " superfluous, when his majesty's govern- " ment had advised his majesty to proffer " that information, on which only an In- " quiry could be founded?—It might be " that this information should not be " deemed sufficient; but why not wait to " see? Where could be the mighty dif- " ference between Saturday and Monday? " This, however, would be quite incon- " sistent; it would be too deliberative for " the hon. gentlemen opposite. Oh, no, " say they, we will wait for no informa- " tion; it is unnecessary to us: we will " enquire first, and get information after- " wards. One hon. gentleman, however, " feared when the papers did arrive they " would not be found satisfactory; if so, " why then papers more so might be " moved for, but how could the question " be affected by waiting to see; what " could the loss of a day or few hours " signify? Another hon. gentleman had " spoken of *Parliamentary tactics;* indeed " it was a science in which they seemed " miserably deficient; they had terribly " mismanaged their manœuvres on the " first night of the session. If they were " wise, they would have proposed the Mo- " tion of this night as an Amendment to " the motion for the Address, in place of " pre-judging the question as they did, " and now moving for an Inquiry into it " *(Hear, hear!)* But that would not do: " no; they were more confident: they " would bear down all precedent; they " would shew their strength, and carry a " motion such as had never been made " before! *(Hear, hear!)* Perhaps, gentle- " men opposite might say, there never be- " fore was such an occasion. *(Loud cheers " from the opposition.)* Even if there was " not, it still became any assembly which " wished to carry even a shew of justice, " to deliberate before they decided; to in- " quire before they condemned. *(Hear!)*

"They could never adopt the course of "the gentlemen opposite; condemn first "and try afterwards. They were at vari- "ance to-night with their first night's "proceedings; *then* they came with a "sweeping, prejudging condemnation; "*now* they tacitly acknowledged that they "were then wrong, and made a motion to "enquire. They were equally wrong in "both cases, because, in the first case, they "condemned without enquiry, and in the "second they enquired without informa- "tion *(hear, hear!)*. It was a curious "kind of justice; a *castigat aditque* species "of proceeding which he hoped no Brit- "ish House of Commons ever would adopt. "But justice was not the object; at least, "it was only a nominal object: the real "object, that for which every nerve was "strained, and every shew even of com- "mon decency cast aside, *was the removal of* "*Ministers.* On such an occasion it would "be idle to condescend to forms; it would "be unnecessary to attend to regular "modes of proceeding; inquiry would "be orderly, and therefore it should not "be adopted; no, every thing but the "plain object of interest was to be over- "leaped, and the grand point of removal "and condemnation carried by storm. "Down they came to the house for the "purpose, full charge; nothing could "withstand their self-supposed strength; "numbers, popularity, confidence, weak- "ness of the ministry, all gave them as- "surance of success. Alas! what a sad "disappointment! totally discomfited, "there never, he believed, was a more "dispirited set of men; the house had "shewn them their mistake; their woeful "error! It had let them see pretty plain- "ly that *it would not be led or hood-winked.* "They had at length fatally discovered "that the House of Commons of England "would not pledge itself to enquire until "it saw whether enquiry was necessary. "He hoped it never would be so unjust or "so inconsistent. All that ministers could "do they had done; they had proffered "papers which, in their opinion, would "be sufficient to throw ample light upon "the subject. It was to be seen whether "they were mistaken or not in their con- "jecture as to the importance of those "papers; whether they would be suffici- "ently explanatory, and, if not, what "points they left undetermined. Then "would be the time *to demand more*, until "even the most sceptical were satisfied; "what more ministers should have done, "he could not see."——Demand *more papers:* Aye, we all remember what *demanding papers* produced in the case of Lord Wellesley. Yes, yes; demanding papers is the effectual way, and the *only* effectual way, of *totally* defeating all inquiry. Papers, indeed! What papers are wanted to make out to us the truth of Lord Porchester's charge, "that the flower "of our army had been sent to perish in "the charnel-houses of Walcheren; that "the ministers had shamefully wasted the "means of the country; that they had "killed the hope of our allies; that they "had, by this expedition, made this king- "dom the laughing stock of Europe; and "that, as our enemies had declared, the "expeditions of our ministers, were ad- "vantages only to France." Is there a man in all England, who has the smallest doubt upon this subject? Is there one single man, who wants *papers* of any sort to convince him of the truth of these propositions? Why, then, was the House to wait for *papers?*—The truth evidently enough is, that the very promise of papers, in the Speech, was intended *to prevent an inquiry at the Bar of the House.* If the papers had been waited for, then a discussion would have taken place upon them. More would have been moved for by the ministers themselves, if nobody else would have moved for them; thus the thing would have drawled out; and, at last, the decision would have been grounded upon *what?* Why, upon just such evidence as the *ministers chose to lay before the House.*——Papers, such as those which the ministers mean to lay before the house, may be necessary, during an inquiry; but, to hold them out as something to prevent the adoption of Lord Porchester's motion, did certainly require more confidence than any man but Mr. Perceval could be expected to possess. The House agrees, that there have dreadful evils arisen, since it last met. Let us, then, says one of its members, inquire into the conduct of those, who have had the management of the nation's affairs since that time, the ministers. Oh, no! say the ministers, don't do that; stop till we lay *our story* before you; and, then you will see *whether there be ground for inquiry or not.* Was there any thing but this wanting to complete the series of insults, which this nation has been compelled to endure, or, at least, has endured, for these two years past? What! the *parties accused* say to their accusers: stay, do not institute an inquiry, till you have read *our papers:*

because those papers may convince you, that no inquiry is necessary! Never was there in this world any thing so coolly impudent as this. These accused persons would be a pretty set of fellows indeed, if they were to produce any papers, tending to shew their own guilt! It is not *their* papers, that the public want: the public want an investigation at the Bar of the House of Commons, and an examination of evidence of all sorts, and from all quarters; and it wants to see, that, in consequence of such an examination, something like *justice* shall be done, and something like *satisfaction* given to the public; something that may operate in the way of *security for the future.*——The rest of Mr. Perceval's speech was in the old way of *wrangling for place*; and, quite consolatory it must be to this abused nation, to hear what it heard from him in this speech. Oh! Napoleon! thine is indeed a lucky star! Never couldst thou, even in thy most sanguine moments, have dreamed, that *England would have been in her present plight!*—*And, so, this little gentleman, when a motion is made for inquiry into the conduct of himself and his colleagues, in expending several millions of money for the blowing up of a basin,* at which the enemy laughs, and in sending so many thousands of fine men, as Mr. Windham said, "to their grave, to be ex-"tinguished amidst the miasmata of Wal-"cheren, to go out like a candle in a "vault;" when a motion is made for inquiry as to such a matter, he, the king's head minister, banters his opponents upon their failure in what he calls their "*parliamentary tactics,*" and runs on for half an hour in a gleeful strain about *majorities of votes in that House.*——Mr. Tierney, in answer to the speech of Mr. Perceval, observed "upon the manner in which the "right hon. gentleman had treated the two "propositions that had come from that "side of the House. The right hon. gen-"tleman had said a great deal of their "confidence in their own strength, and of "their disappointment on the first night, "but he believed that the surprise was "with the right hon. gentleman, at finding "himself *not* in a minority, and the effects "of that surprize had appeared in the "altered manner of the right hon. gentle-"man since. He was now upon his stilts, "self assured, and quite changed from "that humble and subdued tone, in which "he had on the first night thrown himself "upon the house, and told them, that he "must *stand by his Sovereign*, but now he "called upon the house to stand by him. "One gentleman under the gallery, in "dealing out his compliments on the pre-"sent administration, had forgot that he "was applying to what *is*, the encomiums "he had intended for what *had been.* The "noble lord alluded to was no longer at "the head of the War-department; and "notwithstanding that versatile variety of "powers that had enabled lord Liverpool "*to take the circuit of all the different* "*offices of the State*, yet it remained to be "proved that he was as efficient for his "present situation as his predecessor. The "case of Buenos Ayres that had been cited "was not in point, for there had been in-"quiry; and the unfortunate Officer who "had had the command of that expedition "had been broke. It had been said that "the public, notwithstanding the nature of "the previous question, might form wrong "notions of it. The public do not tech-"nically understand it, but practically "they understood it as well as they did, and "would think it a trick to defeat inquiry. "There was no need of further inquiry "before the present motion—*the calamity* "*was notorious.* If he see a man dead "with twenty gashes in his head, and that "when it was proposed that they go be-"fore the Coroner (just what was proposed "in the present case), some one should "object, No, no, never mind the Coroner "—but here is a Gentleman who will tell "us *his* story about it—aye—but he may "be the murderer himself *(a laugh)*. With "respect to the promise of inquiry in his "majesty's Speech, it was all very good, "and he had great respect for it, and so "forth, only he did not believe one syl-"lable of it—that was all—*(a laugh)*— "for the House would remember that they "had promises of a similar nature; nay, "much stronger; and they all knew what "became of them. It was not papers he "wanted, but *viva voce* evidence at the "bar of that House—nothing else would "do. No gentleman had the boldness to "speak of a *Select Committee*, or even a "*Private Committee*—it must be a Com-"mittee of the whole House. It had been "said that the object of this motion is to "turn out the present Ministers, and it is "whimsical enough too, that the right "hon. gentleman himself gravely states "this as an objection to the motion, as if "even if that event should take place *it* "*would be so deplorable a catastrophe.* He "(Mr. T.) openly avowed he wished to

"get them out, and he sincerely wished "that the present motion might be attend- "ed with that desirable effect. He con- "cluded with stating it as his opinion, that "*the confidence of the country in that House* "*was shaken*, and that it did seriously be- "hove the house upon that occasion to en- "deavour to retrieve it. He did not blame "a Noble Lord (Castlereagh) and a right "hon. Gentleman (Canning) for the silence "observed by them—but "he confessed "himself anxious to know whether they "would oppose the original motion for "inquiry."——Lord Castlereagh did vote for the inquiry; but, Mr. Canning voted against it; and, in this respect, as in most others, since they have been out of office, their conduct does present a very striking contrast.——Sir Samuel Romilly, in a most admirable speech, supported the motion. "Why," said he, "should "the minister reject inquiry, if he be so "confident of the wisdom of the expedi- "tion? What are we to think of ministers, "who are for staving off inquiry upon such "grounds?" He solemnly declared, that the house was now upon its trial before the country; and he expressed his astonishment, that there should be persons to support the present minister, upon the ground of his being the *king's defender*.——This is, to be sure, a very rich topic. Mr. Perceval said, during the first night's debate, that Lords Grenville and Grey having refused to come into his views, and to make part of a ministry along with him, he felt it to be his duty *to stand by his sovereign*; and, Mr. Charles Yorke said, that he supported him, because he had *stood by his sovereign*.——These are pretty significant words, and words that one might have expected not to hear made use of towards a king, in honour of whom Mr. Yorke told us (in answer to Sir Francis Burdett) that *every heart* in the country rejoiced on the day of the *Jubilee*. Now, to *stand by* a person means, not only that such person is, in some measure, sustained by you, but that he is *attacked*, or, at least, that he is likely to be attacked in some way or other, and that, too, by assailants, whom if *left to himself*, he would be *unable to resist*. Without the existence, or assumed existence, of these circumstances, to talk of *standing by* a person is downright nonsense, and especially to take merit to yourself for such *standing by*.——Well, then, is it already came to this, that the king, in honour of whom the Jubilee was held, is in such a state, that he needs the *protection* of Mr. Perceval and Mr. Croker and Mr. Richard Ryder and the rest of the men composing the present ministry, and which ministry was left in a minority on the second division that took place in the House of Commons? Is it already come to this?——But, what are we to think of those ministers, those servants of the king, who use his name in this way; who hold him forth to the parliament and the nation, as being under their exclusive protection; as taking shelter under their shield? And who, in so doing, do, in effect, say: "those who do *not vote for us* "are *enemies of the king?*" What are we to think of such ministers?——Yet, this is not only their language, but the language of all their partizans; and, in the case of the recent *election at Oxford*, all those who voted for Lord Grenville were impudently denominated *enemies to the king!* Courtiers have, in all times; the trading courtiers, in all times, have endeavoured to identify themselves with the king, and to make opposition to them pass for disloyalty; but, I do not believe, that this was ever carried to a length any thing approaching that which it has now reached. Of one thing, however, I am quite sure, and that is, that if this doctrine were to be sanctioned by the parliament, the inevitable consequence would be, *the creation of real disloyalty*; for, it would be impossible for human nature to endure an existence under charges so false, so injurious, and so insulting.——Mr. Ponsonby touched upon every part of the subject in a brief way, but in a very masterly one indeed. His speech contains sentiments that will be to be often repeated hereafter, and, therefore, I will insert it, as I find it reported in the Times news-paper. ——"He thought that the right hon. gen- "tleman opposite had mis-stated the ques- "tion, where he said it was a mere ques- "tion between Friday and Monday—a "mere question as to the propriety of "waiting a few hours, or deciding imme- "diately. It was no such question: the "only question was, whether that house "would do its duty, or defer it in compli- "ment to the minister.—*(Hear, hear!)* "The minister desired the house to wait "for his information! who ever heard of "such a request on the part of the accu- "sed? *(Hear!)* In courts of justice, if a "prisoner was to say to the Judge, "Wait, "do not condemn me, wait in complai- "sance to my merit, and you shall "hear in time what a famous story I shall

"tell you," who would ever think of "paying him attention? *(Hear, hear!)* "Why should parliament wait one mo- "ment? Why were not the papers on "the table the first day of the session? "Let the answer which the minister ad- "vised the king to make to the Corpora- "tion of the City of London be recol- "lected. "He did not think it necessary "" to institute any enquiry into the con- "" duct of his Commanders by sea or "" land, *but left it to the wisdom of his par-* "" *liament* to proceed as they thought pro- "" per." *(Hear, hear!)* Parliament had "now met, and why should it not imme- "diately proceed? It was the first time "he believed in the history of the country, "in which, in times of great national ca- "lamity, the house of Commons of Eng- "land was desired to wait on the pleasure "of the minister! *(Hear, hear!)* The mi- "nister said, it would be preposterous to "vote inquiry, and then ask for informa- "tion: yes, so it would, if the house was "to stint itself to the scanty information "which he would give it; but it would "do no such thing—it would reject his "offered and unnecessary information, "and in its own wisdom, proceeding on "its own grounds, probe the calamity to "the bottom. The Minister also said, "that the Amendment on the first night "went to prejudge the question, and in "this also he was mistaken; the Amend- "ment only went the length of stating "that the Expedition was a great public "calamity. Was an Inquiry necessary "now to ascertain that? An Inquiry was "indeed necessary: not however to as- "certain whether the Expedition was "a calamity or not, but to ascertain to "whom the calamity was imputable. "This was the only object of the proposed "Inquiry, and condemnation would of "course follow the discovery. Condemna- "tion of the culprit, whoever he might be, "was indeed imperiously demanded.— "" The enemy has declared (said Mr. "Ponsonby) that the Genius of France "conducted the British army to perish in "the pestilential marshes of Walcheren." "No; it was not the Genius of France, "but the Demon of England—a weak, "divided, distracted, and incapable ad- "ministration; ill thought of by all, and "suspected by themselves; contemned "by the country, and divided against one "another; their very leader—he who "commanded the finances of the na- "tion, declaring himself innocent *because* "*he was ignorant.* Behold the picture of a "British Ministry!! *(Hear, hear, hear!)* "Why should Buonaparté wage hostility "against the country of which such men "are the Ministers? What need has he "of his great power and talents to cope "with their insincerity to themselves, and "their incapacity in their offices? *(Hear,* "*hear!)* men who were unanimous that "their inefficient colleague should be "dismissed, yet allowed him to remain "in power—allowed him to conduct the "greatest Expedition which ever left "our coast, on which the eyes of Eng- "land were fixed, and the fate of Europe "depended—*lest they should hurt his feel-* "*ings! (Loud cries of hear!)* Men who "were content to send our brave soldiers "to their grave—content to squander the "treasures of the country—content to "tarnish our national name, in the hope of "finding some colourable *pretext for recon-* "*ciling the Noble Lord's feelings to his inca-* "*pacity!* Where was their consideration "for the honour of their country? Where "for the fame of the army? Where for "the feelings of the people who had com- "mitted such a trust into their hands? "(*Hear, hear!*) and yet now is it to be "endured, that one of those men should be "transferred to the head of the present "Administration, and demanding the "confidence of that house, desire it to ab- "stain from all inquiry into their misfor- "tunes, till *he* should think proper to give "it his information. We have indeed ex- "perienced many calamities. We have "tolerated innumerable sufferings and "privations; but if this demand is this "night acceded to; if such a minister ob- "tains the confidence of this house, then "*malignant* men enough may be found in "the nation, to pronounce its greatest ca- "lamity—SUCH A HOUSE OF COM- "MONS!"——Oh! *malignant* men! And, why not very good-natured and very honest men, Sir? Why, the fact is, Sir, that, it is, as you well know, and as not a man of you can or will deny it is, Sir, *owing to the House of Commons*; owing *wholly* to the House of Commons, that this ministry has ever been in power, and, of course, that they have done what you and your colleagues charge them with having done. Why, then, Sir, talk of *malignant* men? Why call those men malignant, who think, that such a House of Commons is the nation's *greatest calamity?*——How does the case stand? Why, you tell us, that these ministers have squandered the

treasure of the country; that they have uselessly sacrificed the lives of thousands of brave men; that they have sent our soldiers to their grave, content to squander the treasure of the people, content to tarnish our national name, in the *hope* of finding some pretext for turning out Lord Castlereagh. You tell us, that they are a weak, divided, distracted set of men; ill-thought of by all, and suspected by themselves; contemned by the country and divided against one another; their very leader declaring himself innocent only because he is ignorant. You tell us, in so many words, that they are "*the Demon of England.*" Now, Sir, if this be true, and if the House of Commons still keep these men in power, would those men be "*malignant,*" who should pronounce "*such a House of Commons*" to be the nation's greatest calamity? Would none but "malignant" men entertain such an opinion? Would it require *malignity* to pronounce to be the nation's greatest calamity, that which should support "*the Demon of England?*" That which alone should be found able and willing to prolong the existence of that, which you have represented to be the greatest curse that ever befel any nation?——You should, Sir, it appears to me, have said, with the *Edinburgh Reviewers,* that, if parliament does not now do what it ought; that if it supports, or "*stands by,*" what you call "*the Demon of England,*" you will give your voice for a *reform of that parliament.* It appears to me, Sir, that there is no getting out of this. These men are ministers in consequence of the support of the House of Commons; that support has enabled them to do all those things which induces you to call them "the Demon of England;" and, if, after this, the House still supports them, by voting them innocent, or by voting that there is no need for trying them, one of two things must be; either that your description of the ministers is incorrect, or, that the House of Commons, as now constituted, is the nation's very greatest calamity, and, of course, that any one may call it so, without being chargeable with "*malignity.*"

——Sir Francis Burdett, on the bringing up the Report of the Address, in answer to the Speech, took the real solid ground. He ascribed all our calamities and disgraces to the state of the House of Commons. He took a view of the shocking transactions which had occurred since the House last met; "and yet," says he, "we see just the same sort of majorities as "usual." Yes, just the same sort, and just the same in amount, as if there had been no murderous expeditions, and no pistolling ministers. There is no one who has the impudence to deny that *the people* of this country feel indignant at what has taken place; that the whole *nation* participates in the feelings expressed by the city of London; yet, there was, in the House of Commons a decided majority *against a vote of censure.*——Mr. Ponsonby has told us, that the present ministry is "the *Demon* of England;" he has told us, *that they suffered Lord Castlereagh to send our army to perish in Holland that they might have a pretext for getting him out of his place.* This is, in plain English, what Mr. Ponsonby has told us. Well, then, *what must that assembly be, who shall be found to support such ministers?*——There is no getting out of this. The house will *punish* the ministers, or it will not. I say *punish,* because the mere putting them out of their places is no satisfaction of justice, supposing them to be guilty; it is not answering the ends of *responsibility.* Well, then, the House will punish them, or it will not. If it does punish them according to the magnitude of the charge which Mr. Ponsonby has preferred against them, why, then, one may yet have hopes of better days, even without a reform of Parliament; but, if it does not punish them according to the magnitude of their alledged crimes; nay, if it does not punish them at all; still more, if it does not put them out; aye, if it still supports them, declares them worthy of its confidence, and again heaps the treasure of the nation into their hands; again commits the treasure, the honour, the life-blood of the nation to the disposal of "*the Demon of England;*" if it does this, what will the people say? Why, they must say one of two things; either that the House *ought instantly to be reformed,* or that Mr. Ponsonby's description of the ministry *is not true.*——Before I quit this subject, I must notice a passage in Mr. Charles Yorke's answer to Sir Francis Burdett, on the 25th. This was a most curious *answer* to be sure. Never was there, I believe, *such* an answer to *such* a speech. The passage I have alluded to was this: "The hon. "Baronet had stated that this country *was* "*in great danger.* He agreed with him "*as to the danger,* but not as to his means "of extricating us from it; for if they "should be adopted, the country he feared, "would be ruined. He did not think the

" great danger of the country was from a " *foreign* enemy, but that it arose and was " engendered *much nearer home.* He saw " it most formidable in the *dissensions ex-* " *isting among ourselves,* and from a preva- " lence of opinions uttered in that House, " and spread all around *to make us hate one* " *another (Hear, hear!)* The exagge- " rated manner in which opinions were " uttered in that house, gave an opportu- " nity to *persons disaffected to the government* " to act under their authority, and to turn " them to the most mischievous purposes; " and every expression tending to *lessen* " *the government* in the opinion of the peo- " ple was greatly to be deprecated."—— This is Mr Yorke's old doctrine. He, upon the first motion relative to the Duke of York's affair, discovered, that there was a " *Jacobinical Conspiracy against the house of Brunswick;*" and now he can see no danger from a *foreign* enemy; the fleet and arsenals in the Scheldt and all the other mighty means of the greatest conqueror that the world ever saw; all these appear to excite no terror in the staid and settled mind of Mr. Yorke, who can see no danger but that which arises from the little *liberty of the press,* which is yet in existence. He says, that our danger arises from members of parliament expressing opinions, which give a sanction to *persons* DISAFFECTED TO THE GOVERNMENT, to circulate such opinions, and to turn them to the most mischievous purposes. So, then, Mr. Yorke knows, it seems, of " *persons disaffected to the government?*" Why did he not *name* them? And he knows of these, too, at the same time that he tells Sir Francis, that *never was there so unanimous* a feeling and expression of *loyalty* as at the time of the t'other-day jubilee. Well, then, if this was so, these " *persons disaffected to the government*" cannot be very numerous; and, yet, it seems, that Mr. Yorke thinks them *more* formidable than any *foreign* enemy, though the king, in the Speech, does think it worth while to tell the parliament, that " to " guard his dominions against his inve- " terate enemy will require the *utmost ef-* " *forts* of vigilance, fortitude, and perse- " verance." Yet Mr. Yorke sees no danger from " a *foreign* enemy;" he sees no danger but from " persons disaffected " to the government," in the midst of a nation full of loyalty!—— " He saw our " danger most formidable in the dissen- " tions existing amongst ourselves, and " from a prevalence of opinions uttered " in that House, and spread all around *to* " *make us hate one another.*" Why, there is, indeed, some truth in this; and, I suppose that these assertions of Mr. Yorke about " *persons disaffected to the govern-* *ment,*" are intended to work in the way of *conciliation,* and *to make us* LOVE *one another!* I said, at the time when it was first asserted, that Canning and Castlereagh had been pistolling one another; I said, then, that I wondered, *that the Jacobins were not accused of being the cause of it.* ——What I should have asked of Mr. Yorke, however, had I been in the House, is this: " *Who are* the persons disaffected " to the government?" I would have had an answer to this; for, if there be such persons, they ought to be pointed out *by name;* and, if there be none such, it is doing the nation flagrant injustice to say that there are; besides giving great encouragement to the enemy.—— *Certain minds* appear to be formed for the brooding over and the hatching of *suspicions;* for the imagining of the existence of conspiracies and treasons; and, though the intention may be void of *malice,* as in the case of Mr. Yorke I am convinced it is, yet, it requires but a very little of sober reflection to make one perceive, that, to give way to the spreading around of such suspicions must produce implacable resentments; for, there is, perhaps, nothing so galling as false accusations of any sort, and particularly of this sort, which have, it is notorious, in various instances, *created* that very disaffection, which they falsely alledged to be already in existence.—— III. The Motion of Lord Cochrane, *relative to Lord Gambier's Court Martial,* and which motion was made on the 29th of January, was " *for the* Minutes *of the* " *Evidence of that Court Martial to be laid* " *before the House,*" in order that the House might, previously to voting thanks to Lord Gambier for his exploits in and near Basque Roads, see *whether he deserved any thanks.*——I shall here insert Lord Cochrane's Speech, as I find it in the Statesman news-paper. " Lord Cochrane " in a speech of some length, entered into " a detail of the circumstances attending " the attack on the enemy's fleet in the " Basque Roads. Lord Gambier had " neglected his signals, and failed to sup- " port him in a full and efficient manner. " The object in view, the destruction of " the enemy's fleet, he thought not suffi- " ciently accomplished, when more might " have been done. According to his

" own account, Lord Gambier had de-
" layed to support him for more than four
" hours; but according to his (Lord C.'s),
" he had done so for more than six, and
" when at last he took up that position
" which it would have been advisable for
" him to have taken earlier, the enemy's
" ships were out of our reach. *He pledged*
" *himself by all that was valuable to him as a*
" *man, to prove that the conduct of the Court*
" *Martial on Lord Gambier's trial, was*
" *such as they ought to blush for.* He con-
" tended, that to give the thanks of the
" House to an Officer, who had been
" tried for his life, who had not gone in
" to the enemy, but *who had been out of sight*
" *during the whole action*, would be doing that
" for which no precedent could be found.
" He called upon the House to insist on
" the production of the Minutes of the trial.
" Those produced, *he pledged himself to*
" *show, that the Court Martial had proved it-*
" *self partial in a manner unworthy of a Court*
" *of Law.* He would prove that the
" Charge and the Evidence were contrary
" to law; *that contradictions had been given*
" *on oath by the same evidence;* yet they
" were admitted by the Judge Advocate.
" The House ought to be on their guard
" against giving into motions of that sort,
" as by those means Government might
" screen themselves from merited repro-
" bation, and gain for a man whose par-
" liamentary influence they wanted, the
" highest honours they could bestow,
" however unworthy the object. It would
" screen themselves from the censure they
" deserved, for appointing an officer to a
" station the duties of which he was in-
" competent to discharge. If he did not
" prove all he had undertaken to prove,
" when they acceded to his motion,
" *he would resign the honours his Majesty*
" *had bestowed upon him, and consign himself*
" *to the contempt and obloquy he should in*
" *that case deserve.* He wished Ministers
" would give such a pledge to prove their
" statements."——Now, it appears to me,
that even the *friends* of Lord Gambier
should, after hearing this speech, from such
a person, have joined in the call for the
Minutes.——Mr. Perceval moved an
amendment, that is to say, he moved to
put the word *Sentence*, instead of the word
Minutes! Let us have his speech, however,
from the same paper; and then we shall
have both sides. " The Chancellor of
" the Exchequer did not rise exactly to
" oppose, but to amend the motion. That
" House was the only tribunal competent
" to decide on the policy of the Expedi-
" tion to the Scheldt; but that case dif-
" fered materially from the present. If
" the Minutes of the trial were to be pro-
" duced, it must be to review the conduct
" of the Court, and not to revise the sen-
" tence. Lord Gambier had been accused,
" and had been honourably acquitted.
" What now did the Noble Lord do? He
" advanced similar charges. But could
" the House technically follow him, so as
" to reverse the opinion of the Admirals
" and Captains composing the Court-Mar-
" tial? The Noble Lord had asserted
" that the House should be careful how
" they acceded to motions of thanks, as
" Government, to strengthen themselves,
" would unduly compliment a man who
" had Parliamentary influence. He never
" heard of any such influence possessed
" by Lord Gambier. The reflection
" thrown on the First Lord of the Admi-
" ralty was unjust. Nothing can place
" the integrity of his conduct in a more
" luminous view, than the appointment of
" the Noble Lord to the command assigned
" to him under Lord Gambier. It was a
" wise choice; the Noble Lord had well
" justified it; although *there certainly were*
" *others, who would have been equally success-*
" *ful in the enterprize.* It was, therefore, an
" unhappy remark, to allude to that Noble
" Lord in the manner that the Noble Lord
" opposite had done. The Noble Lord
" had asserted that there was no prosecu-
" tor. Why? Why did not the Noble
" Lord assume that character? Instead of
" preferring a direct charge against Lord
" Gambier, he only threw out insinuations
" which compelled that Noble Lord him-
" self to demand a Court-Martial. Upon
" the whole he thought the production of
" the sentence alone would be sufficient in
" the present instance, and he should
" therefore move as an amendment to
" substitute the word "Sentence" for the
" word "Minutes" in the Noble Lord's
" motion." Sir Francis Burdett said in
answer to Mr. Perceval, " that the pre-
" ceding speakers had saved him the
" trouble of proving the right of the
" House to interfere with the sentence of a
" Court-Martial. The question therefore
" now related to the propriety of such an
" interference in the present case. If to
" prove the propriety of such an inter-
" ference he would wish to cite an ex-
" treme case, it would be the present, in
" which an Officer of the character of his
" Noble Friend came forward and pledged

" himself to prove the strong facts which " he had so distinctly stated; facts which " required the most serious consideration. " The production of the Sentence alone " would be most insufficient. Of the " Sentence his Noble Friend complained, " and was prepared to shew that it bore " on its face marks of the greatest " inconsistency. There were circum- " stances connected with it, which " common sense, ignorant of tactics, " would pronounce contradictory. His " noble friend had been taunted for not " becoming a prosecutor. His noble friend " might not think guilt attached to Lord " Gambier's conduct, although it might " not deserve the thanks of that House. " It therefore appeared to him that his " noble friend kindly wished to keep Lord " Gambier's behaviour from discussion. " Lord Gambier admitted that there had " been a lapse of time, a delay he had " been charged with by his noble friend. " If there were any difference, the expres- " sion of Lord Gambier was the most " pointed. There was an old proverb— " 'Time and tide will wait for no man;' " but Lord Gambier seemed to think that " both would stay for him. The signal " of his noble friend ought not to have " been disregarded. Had Nelson been as " desirous of preserving his fleet as Lord " Gambier, should we have had to boast " of the glorious victories of the Nile and " Trafalgar, in which he sacrificed the life " that had been so useful to his country? " The admiral of a fleet should have " greater objects in view than the preser- " vation of his ships. More might have " been done. His noble friend was the " person who achieved the enterprize, " and why should Lord Gambier be " thanked for it? Indeed ministers them- " selves tacitly acknowledged this fact, " when they advised his majesty to give " his noble friend the Red Riband. If " the motion before the House should be " acceded to, his noble friend would be " ignominiously stripped of his honours; " a disgrace which he had not deserved. " Ministers would pass sentence on them- " selves in admitting that Lord Gambier " did right in disregarding the signals of " his noble friend. If he were not worthy " of being attended to, why did they send " him out on such an enterprize? Could " the shoals and batteries cause a greater " delay, or threaten greater danger in the " morning than in the afternoon? When " the enemy became less accessible it " seemed we could approach. He con- " cluded, by declaring his firm opinion, " that his noble friend was entitled to have " been supported by the noble Lord whose " conduct was the object of the present " motion."———Mr. Yorke said, that he was sorry Lord Cochrane had proceeded as he had done; that he had *never commanded a ship of the line;* that he was but a *young* officer, and though he thought highly of his spirit and bravery, he thought it *not a little presumptuous* in him to set up his judgment against that of captain Stopford and others, who were *captains before he was born;* and that *he thought the Admiralty much to blame for appointing the noble lord to the command of the attack in Basque Roads.*———This last sentiment was repeated by several other persons during the debate; nor, indeed, is it any thing more than what was conveyed in that part of Lord Gambier's dispatch, where he says, that several of the officers, already under him, *would have done the thing as well as Lord Cochrane,* or words to that effect; and, upon which the public, with voice unanimous, asked this question: "Why *did not they do it then,* and why did *you* not propose the enterprize?" As to the choice of Lord Cochrane, there was little room for *choice;* for, as I have always understood to be the case, Lord Cochrane, in coming home from the Mediterranean, took a look into Basque Roads, saw the situation of the French fleet, hastened up to London the moment he reached the land, told the Admiralty what he had seen, and offered his services in burning the enemy's fleet. Now, if this was so, the Admiralty really had no choice; or, at least, no other choice than that of rejecting the proposal or of employing the person who made it. Lord Gambier might be right; several of his captains *might,* for aught I *know,* have done as much as Lord Cochrane did; but, this we all know, that they had lain off Basque Roads for a long time, and *that they did not do any thing of the sort.* Lord Cochrane, if my information be correct, was the *originator* of the enterprize; it was he who first saw the practicability of burning the enemy's fleet; it was he who proposed it; it was he who planned the attack; it was he who indicated the means; and, would not the Admiralty have been guilty of shameful neglect of their duty, if they had not employed him to execute the plan?——His *youth!* Well Mr. Yorke, this is very good, after all that we have heard, and all that

we know, about the *age of Coloncls of regiments!* But, his youth! Why, my Lord Cochrane, though only *thirty*, perhaps, and though he has never commanded *a ship of the line*, has, perhaps, had *more experience*, has had more real experience, more *active* experience, than almost any man in the navy. And, then, are his signal intrepidity and still more signal skill and resource of mind; are these to pass for nothing; and is such a man to be stiled "presumptuous," because he sets up his judgment against that of a man, "who was *a Captain before he was born?*" *Age*, in such cases, is not to be reckoned by the number of days that a man has moved upon earth, but by the strength and extent of mind, with which nature has blessed him; and, without disparagement to any man, I have no hesitation to say, that my Lord Cochrane possesses these qualities in a degree that falls to the lot of but very few men indeed; and, of this opinion, the country, judging of him by his deeds, decidedly is with respect to this distinguished officer. He has, besides, so much enthusiasm in the cause of his country; such an ardent zeal in all he undertakes; he has been so wedded to his noble profession; he is so completely disinterested; he has a soul so devoted to the fame of his country; that though I doubt not that there *may* be others equal to him in these respects, yet I am warranted in believing, that his equals are rarely to be found. His mind is stored with *all* the knowledge, various as it is, that his profession demands, or that can be useful in it; and to this is added an astonishing perseverance, a never ceasing attention, an activity almost beyond belief. Those who have witnessed his conduct in the performance of his duty, speak of him in strains of encomium truly romantic. And, is such a man to be told, that his judgment is not to be set up against those, who have *seen more years* than himself? How would Mr. Yorke have relished this, if offered against Mr. Pitt, when he became *prime minister* at the age of *twenty two*.——The general objection to my Lord Cochrane's motion appears to have been, that to call for the Minutes would seem to impeach the integrity of the court-martial; and, indeed, so it would. But, *why* were the Minutes called for? Not with a view of discrediting the decision of the Court-Martial; but with a view of shewing, that, though *acquitted*, Lord Gambier was, from what transpired at the Court-Martial, *unworthy of the thanks of the House of Commons*. Therefore, all the danger that was apprehended from a precedent of overhauling the proceedings of a Court-Martial was imaginary, as it never could be applicable to any case, wherein it was not proposed to give the thanks of that House to a person, who had been accused of neglect of the duty for which he was about to be thanked, and who had been tried for his life upon that accusation.—Upon a division, there were 19, who voted for Lord Cochrane's motion, and 171, who voted against it; but, before this division took place, Lord Cochrane stated, "That, "in consequence of some conversation "which had occurred with some Members "of the Admiralty Board, it had been "known that he would resist the Vote of "Thanks. He had then received the "letter which had been already noticed "in the debate. His answer to it was— "that one which ought to have been "given; he entered into no personal statement; he simply referred to his log-book. There was no trick, no evasion, "in that reference. The log-book contained all the documents that were applicable, or ought to be brought forward. "It had been asserted, that he ought to "have come forward to prosecute; that "he ought to have made his charge "boldly, and thrown himself before the "country as the author of the charge. "But he was not to be dictated to; he "felt the seriousness of the effect, if urged "by him; he knew the responsibility which it would draw down; he "thought of admiral Byng.—[Here the "noble lord entered into a series of observations on the nature of the manœuvres "in Basque Roads, but in a tone so low, "as to be unintelligible in the gallery.]— "He proceeded to say, that he had imposed a great duty and a great hazard "on himself; but he felt himself adequate "to both. His own character was involved. His conduct had even been "impeached; but he was willing to suffer all things, the extreme of contempt "and scorn, expulsion from that house, "and infamy through the world, if he did "not substantiate the facts, which he was "then pledged to lay before them. Evidence had been brought to disprove his "testimony; he had wished to disprove "that evidence; but permission had been "refused him."——After this Mr. Perceval moved a *Vote of Thanks* to Lord Gambier, which was opposed by Lord Coch-

rane, Sir Francis Burdett, and Mr. Windham. Sir Francis required to know "whether the service of Lord Gambier "was thankworthy, admitting it to have "all the value that could be attributed to "it, by any thing but the unblushing and "profuse spirit of ministerial favouritism. "But, on the other hand, there was the "full and decided testimony of a man ade-"quate to give his judgment, and of whose "admirable valour and good fortune the "house and the nation had but one opi-"nion. He felt that in making those re-"marks, he might be treading on perilous "ground. He was probably bringing "upon himself some charitable remarks, "particularly those of a gentleman, whose "charity was of a very peculiar nature. "But he was careless about such remarks; "he deprecated that person's charity; "he would not shun, he would rather so-"licit his hostility. Had there been any "thing said to make out a reason for the "vote which was demanded of them on "that night? Where was the evidence of "intrepidity or skill, of that boldness "which bursts its way through all obsta-"cles; of that genius before which obsta-"cles vanish? For all this he was only in-"sulted with a dry catalogue of negatives, "and an account that the noble admiral "inspected the action at a distance of seven "miles. The question had been treated "lightly; but levity was unbecoming the "grave and sage matters of their delibera-"tion. The subject was of the utmost "importance; and it merited to be "most seriously considered."——And Mr. Windham, though he disapproved of the motion for the Minutes, said: "that "the Thanks of that House did not de-"serve to be lavished on any man, un-"less his service was of that rank which "forced itself into universal report, and "universal admiration. It was not to be "evolved in some obscure process of "official chemistry; not to be drawn out "from under bundles of obscure records; "not to be elicited by any *keen, cunning,* "*recondite, subtilizing process, beyond the* "*practice or the perception of the General.* "To be praised, *it must be known to be mat-*"*ter of thanks, it must be matter of publi-*"*city.*"——Here the question of thanks was put to the vote, when there appeared for the motion 161; against it 39.——So that my Lord Gambier has his thanks, for which so long and so tough a fight has been kept up.—Let him take them then and much good may they do him.——At present I shall say no more upon this subject, than to point out to my readers a work just published, entitled, "*Notes on* "*the Minutes of a Court Martial, holden on* "*board his Majesty's Ship the Gladiator, at* "*Portsmouth, in July,* 1809, *on the Trial of* "Lord Gambier;" which work contains *illustrative charts,* relative to the operations in Basque Roads.

If I have room, I shall insert, in the present sheet, correct reports of Lord Cochrane's Speech, and also of his lordship's Reply. They deserve the serious attention of *every man in the kingdom.*

Want of room compels me to postpone an account of Mr. Manning's Complaint about the News-papers; and also some remarks, which I meant to submit to my readers, upon the treatment of Mr. Finnerty by Lord Castlereagh, or some one in power. That Gentleman's Letter has appeared in the Statesman news-paper, and a very great impression it has made upon all those who have read it. I hope, that this affair will lead to some inquiry; for it is of great public importance. Mr. Finnerty was *invited* to go to Walcheren, as I heard, at the time, by Sir Home Popham, and, no doubt with the laudable view of his talents (than whom few men possess more) being used in the giving an account of what passed. Why, then, was he not suffered to remain? And, at any rate, what just grounds could there be for hunting him through the fleet, as if he had been a malefactor? His Letter does him infinite honour; and, I trust, that we are yet to have an account of the Expedition from *his* pen.

Wm. COBBETT.

Botley, 1st Feb. 1810.

COBBETT'S
Parliamentary Debates:

The Twelfth, Thirteenth, and Fourteenth Volumes of the above Work, comprising the Proceedings in both Houses of Parliament during the last Session, are ready for delivery. Complete sets from the Commencement in the Year 1803, may still be had of the Publishers.

*** *All Communications for the Parliamentary Debates will be carefully attended to; but it is particularly requested that they may be transmitted to the Publishers with the least possible delay.*

LORD GAMBIER.

Lord COCHRANE'S *Speech in the House of Commons, Monday, January* 29, 1810.

Sir; Painful as it is, to present myself to the attention of this House, on the present occasion; yet a duty which I owe to my Country, demands the sacrifice of my feelings. It is incumbent on me that I should submit to this House, the reasons on which I found the Motion of which I have given notice, for the Minutes of the Court Martial, held on Lord Gambier: a document which his Majesty's Ministers, on a former night, did not seem inclined to grant; although absolutely necessary in order that it might be minutely inspected, by every member, so as to be enabled fairly, and impartially to decide, whether the thanks, now in the contemplation of his Majesty's Ministers, are due to Lord Gambier, for the part he took, in what has been denominated, by them, a Victory in Basque Roads. But, as if it were unnecessary that we should judge for ourselves, it has been asserted, by the right honourable the Chancellor of the Exchequer, that the merits of this case have been already decided on: that the Court Martial held on the Noble Lord, has already proclaimed his honourable acquittal; and the zeal, ability, and anxiety he manifested for the welfare of his Majesty's service. But were all this true, Sir, and if it were possible that all those facts could be ascertained, by the mere inspection of the copy of a Sentence; still I contend, that the combination would not entitle an Officer to the Thanks of this House—the proudest honor that it is in our power to bestow. We have, Sir, a right, and ought to judge for ourselves, and this we can only do, by carefully examining the Minutes of the Court Martial, before which the Noble Lord was tried on a very serious charge: a charge not brought against him by an individual; but by the Lords Commissioners of the Admiralty, and grounded on official documents. Upon such documents, Sir, their Lordships founded the charge "of "neglect, or delay in taking effectual "means to destroy the enemy;" and we cannot suppose, that their Lordships brought it without due consideration. However this may be; I submit to the house, that zeal, ability, and anxiety for the welfare of his Majesty's service, and having done nothing wrong, do not entitle any Officer to our Thanks, which, if bestowed on trifling, or indeed any occasion, except when marked by brilliant achievement, will dwindle into utter contempt, even with those on whom they should be conferred. They are already held lightly in the estimation of the Navy, and such I freely confess is my feeling respecting them. I therefore entreat this House, to weigh the matter well before they come to a decision, and to consider what they are about, and the consequences of voting indiscriminately and blindfolded, that which was, formerly, bestowed exclusively on those, who were publicly known to have rendered the highest services to the state. The House ought to be on their guard against giving way to motions, that have such objects: as by such means, Ministers might screen themselves from reprobation; and gain for a man, whose parliamentary influence they required, the highest honours they could render, however unworthy the object.—I contend that to give the Thanks of the House to an Officer who has been tried on heavy charges, who instead of going into action, continued at a distance not less than seven miles during the whole time, would be doing that for which no precedent could be found. I am clearly of opinion, that the Minutes of the Court Martial, which I am about to move for, are indispensably requisite; not with a view to reconsider the decision of the Court; but to give foundation to our opinion respecting a matter on which we are not only entitled, but bound to decide justly; and on which the Court Martial could not decide for us. Indeed, Sir, even in Lord Gambier's written defence, we might find his Lordship's pretension to our Thanks, which would be some satisfaction; for in the Sentence pronounced by the Court, and offered as a ground, on which to rest our judgment, I protest I can find no claim. I shall go farther, Sir, and, though it is not the object to criminate by the production of their Minutes; yet, Sir, I shall boldly assert, that the charge of delay will be found, not only to have been proved, by the witnesses produced; but admitted also by his Lordship's written defence; a delay of four hours elapsed, by the Noble Lord's own account, even before he took up the position, which he has stated to be the best, for observing the motions of the enemy, and for sending ships to the attack; and five hours afterwards elapsed before any attack was made,

which is in direct opposition to the Sentence delivered by the Court;—if a Court it can be called, when it appeared so extraordinary that the President could not give it a name, as he always spoke of it ambiguously; thus, "what may be termed," or, "what may be called "the prosecution." Not only do I assert, Sir, that the charge has been admitted by his Lordship, and proved by witnesses; but his Lordship's written defence, also, will be found to contradict itself in points, on which the charge hinged, and in others of material import: that his Lordship's Official Letters contradict that defence, and each other; and that many of the witnesses falsify their own evidence in substantive facts, and contradict themselves when deposing only to the best of their knowledge. In other instances they swear positively to things, of the truth of which they had no knowledge. Which I believe is an offence against the law. The fabricated chart, Sir, will then also come under review: that chart produced by the Master of the Caledonia, to the Court, in order to explain the various positions of the British and French Fleets, "on and previous to the 12th of April," for the purpose of inducing the members, assembled on, "what may be called," the Trial of Lord Gambier, to believe, that no more of the French ships could have been destroyed than were destroyed, had the British force been sent in at an earlier period; although the fabricator of that chart, after having, on his first examination, sworn that it was a chart of *the* 12*th*, swears afterwards that it was meant for *the* 13*th*, inasmuch as that "the only vessels marked on the chart for the 12th, *were* those that had been destroyed;"—those, Sir, that did not exist.—I have one word more to say, respecting the falsity of this vile fabrication, which the master of the Caledonia professes to have copied from the Neptune François. The distance between the shoals are contracted to little more than one-third of the size of the Neptune, from which, as I have already remarked, it is declared to have been taken: in order to shew (for there can be no other reason) that the space for anchorage, as deposed by the Masters, without knowledge of the fact, was confined; the water round it shoal, and the passage narrow; and that the British ships must have been within point blank range, "not only of the destructive broadsides of the two ships afloat, but of the upright ones on shore, and of the tremendous batteries of Aix, which, separately or united," according to the testimony given, in support of the assertions of Lord Gambier, must have demolished every vessel, "locked up in so confined an anchorage." Though at the same time, and for the safety, I suppose, of his Majesty's ships, that might have been sent in, in defiance of "such unwarrantable peril," the vessels aground are removed, by the contriver of the chart, from "the NW part of the Pallés Shoal, the NW part nearest the deep water flanking the passage," where, he had sworn, they were situated, and which was the fact, to the SE side of the shoal, farthest from the deep water, and beyond the Tonnére, which was not within range; and "where they never could have been approached by our ships for the shot to reach them." This, Sir, is not all: by Stokes's deposition the Cassard, one of the ships that would have raked us with such terrible effect, is stated, and in truth it was so, to have been about one-third of a mile from Aix, and the Foudroyant, another of them, about three cables length from her; but, Mr. Stokes, in his chart, has cunningly put them in a corner, between two shoals, and close to both, where, he has sworn, they could not be got at, though he had positively sworn, first that they could have annoyed us, and next that he did not know the distance between the shoals. I have already asserted, Sir, that contradictions of facts, on which the Charge was founded, are frequent in the Defence of Lord Gambier; but I have yet to tell this House, that these contradictions, in substantive facts, are, in several, nay, many instances, confirmed, sometimes one way, and sometimes in another, by the same individual witnesses, examined in behalf of "what may be termed" the Defence.—For instance: by some of those witnesses it is said, that the Cassard, Foudroyant, and some of the grounded ships, would have fired with complete effect on the British ships, had they been sent earlier to attack them; and, again, that we never could have got near them for the shot to reach—Assertions that are, in the nature of things, incompatible; as in positive contradiction to each other, and given in support of Lord Gambier's Statements, that three out of the seven ships aground on the Pallés were never within reach of any of the fleet that might have been sent in to attack them; and, that the other four of

the eleven were never in a situation to be assailed, after the fire-ships failed in their main object; although at another time the noble lord declared, that some of those very ships would have raked our ships had they been sent in earlier than they were. I therefore call on the House to insist on the production of the Minutes of the Trial, and I pledge myself to prove, to the conviction of this House, and to my Country, all that I have asserted. I will also prove partiality on the part of the Court, and illegal and unjust conduct on the part of the Judge Advocate, who admitted, and even courted, evidence on one side, which he rejected on the other; and urged inquiry into the conduct of officers, whose conduct the Court were not empowered to investigate, in order that he might, by insinuations, (for there could be no other motive), create an unmerited prejudice against me, by shewing that their conduct had been arraigned by me, and so induce them to unite against me, and make common cause with the Commander in Chief, who had stepped forward, as he insinuated, to vindicate their injured characters, and examined his secretary on the subject. One instance may, of the many which I could adduce, well suffice, in relation to the conduct of the learned Judge Advocate: Asked, on a certain occasion by the President, "Is that evidence?" he answered, I should think it is. And, why, Sir, did he think so? "because it was to affect the evidence of Lord Cochrane; in that point of view he thought it was legal evidence," although I had not even touched on the subject then under consideration. As to the Court; their conduct is too glaring to admit of a doubt, as to the motives by which they were actuated. Conversations between officers, and questions framed upon matter arising out of such conversations: were admitted, notwithstanding, Sir, my testimony had been refused, in an instance, wherein I merely stated, that the opinion I had at the moment delivered to the Court, had formerly been given in the presence of certain officers, and, Sir; I submit to you, and to the learned gentlemen in this house, that such reference was admissible, as it was to establish that, by having said at a former time what I then stated, I was consistent with myself. The Judge Advocate pursued the same course, he received documents as evidence, which could not be authenticated, and on the other side, rejected those that could. Amongst the latter, was captain Woolf's order to supersede me in the inner anchorage; though the secretary who wrote it, and captain Woolf who received it, were witnesses before the Court; but, had that paper been established, I will tell you, Sir, what it would have proved; it would have proved, that it had been written together with Lord Gambier's two letters of recall, on the 13th, although the signal, to the same effect, had been attempted to be denied, and witnesses examined to support assertion against his acts. I shall not detain the house longer, than to pledge myself by every thing that is valuable to man, if these Minutes are granted, to prove, though that is not immediately the intention of calling for them, not only that injustice and partiality on the part of the Court has been exercised towards me, not only that the Judge Advocate, the expounder of the law, pointed his decisions from the course of justice; but, Sir, that the defence is contradicted by itself, contradicted by his Lordship's official letters, and by his own witnesses, many of whom, as to substantive facts, are at variance with themselves and each other; and lastly, that the Chart of the positions of the enemy's ships on the 12th of April, a most material point, is false, and in every respect a foul fabrication. This, and all that I have said, I pledge myself to prove to the conviction of the world, if the Minutes of the Court are laid before this house. Or, if I fail, then, Sir, let contempt and merited infamy follow me; then Sir, unworthy of the honour, which his majesty was graciously pleased to confer upon me, I shall resign it back into his hands, and vacate my seat in this house. I do not desire to get off with nominal responsibility, and I wish his majesty's ministers could give such a pledge for their actions and for their statements.—I now move, Sir, That there be laid before this house, a copy of the Minutes of the Trial of Admiral Lord Gambier, held on board his Majesty's ship the Gladiator, in Portsmouth harbour, on the 23rd of July 1809. Also the original Minutes taken day by day by the Deputy Judge Advocate.

Lord COCHRANE's *Reply.*

Sir;—Some remarks that have fallen from gentlemen on both sides of the house, call upon me for explanation.—And first, the honourable gentleman below me, has asserted, that it was my bounden duty to have brought forward, myself, charges against Lord Gambier, if I thought his con-

duct censurable.—I must tell that honourable gentleman, that, I adopted the mode that under such circumstances, it was my duty to adopt. I did not presume to frame Charges founded on my own opinion, of the transactions that had passed in Basque roads.—I did not deliver Charges: but when I found that a Vote of Thanks, was to be pressed on this House, I felt myself called upon to refer their lordships to the log books and minutes of signals, where they would find reasons, why a Vote of Thanks should not be granted to the Commander in Chief, and their lordships found them, in these official documents, which are received, as evidence, in all courts of law. These, Sir, I had no power to falsify, and to these I referred, not with a wish maliciously to criminate, but to save this House and my country, from what I felt would be a disgrace. As this book has been used (Gurney's Minutes) I shall if permitted read the opinion of the Lords Commissioners of the Admiralty, founded, I suppose, on mature deliberation. "And whereas by the log books and minutes of signals of the Caledonia, Imperieuse, and other ships employed on that service, it appears to us, that the said admiral Lord Gambier, on the 12th day of the said month of April, the enemy's ships being then on shore, and the signal having been made that they could be destroyed, did, for a considerable time, neglect or delay taking effectual measures for destroying them: We, therefore, in compliance with his lordship's request, and in consequence of what appears in the said log books and minutes of signals, think fit that a Court Martial shall be assembled for the purpose of examining into his lordship's conduct, and trying him for the same:" Such was the Charge brought against his lordship by the Board of Admiralty after investigating the log books of the Caledonia and of the fleet. No individual had the power to mislead their lordships; and this I submit to the House was the fair and honourable mode to proceed. It was regular, and not liable to be affected by prejudice, or my opinions.—I had another reason for this line of conduct, I did not chuse to oppress my mind with responsibility; I believe, admiral Byng was called to an account not by an individual but by his country. I trust, Sir, this explanation will be satisfactory to the House, and to the honourable gentleman who chose to reprobate my conduct. I have now a word or two to say to the naval member opposite, who has spoken of forming logs for the purpose of evidence. When he throws out insinuation or rather accusations such as these, it would be but honourable in him, and justice demands that he should state the difference, which was detected in these logs. Lord Gambier, who was pretty much alive to detect errors, did point out, "that in one, the signal made, was that half the fleet could destroy" the enemy, and in the other, that it stood, "part of the fleet can destroy the enemy." What, Sir, is the mighty difference between part and the half, a part may be either more or less or exactly the half of the fleet. Is this the error which the honourable gentleman has spoken of, or is it the circumstance of my hailing the Indefatigable which is not noticed in one, but inserted in the other. That, Sir, was a personal act of my own; the words spoken had nothing to do with the transactions usually inserted in the log books of ships. Those who were on board can vouch for the correctness of the fact. As to the chart, I must address a few words more, to the same gentleman, and state to this House, and pledge myself to prove if the minutes are granted, that my chart is correct and is corroborated, as to every point for which it was produced, by the testimony of the Master of the Caledonia, who, after falsifying his own chart, swears, that the French ships lay, exactly, as I placed them. And here, Sir, I shall give a specimen of the evidence of those ingenious Gentlemen, the inventors of the fabricated chart, which was introduced, for three reasons, to shew the confined state of the anchorage, the point blank shot of the batteries of Aix, and that no more of the enemy's ships could have been got at, than those that were destroyed. In all these points, I pledge myself to prove the chart produced by the Master of the Caledonia, false, by the mouths of its fabricators themselves, and here is their evidence. First, as to the space in the anchorage. Mr. Fairfax, on being asked. Is it much confined and the waters round it shoal? —*A.* The space is much confined. I have not sounded myself there.—*Q.* Is the navigation of Aix roads difficult for large ships as far as you know?—*A.* Very much so.

(To be continued.)

LONDON:—Printed by T. C. HANSARD, Peterborough-Court, Fleet-Street;
Published by R. BAGSHAW, Brydges-Street, Covent-Garden:—Sold also by J. BUDD, Pall-Mall.

COBBETT'S WEEKLY POLITICAL REGISTER.

VOL. XVII. No. 6.] LONDON, SATURDAY, FEBRUARY 10, 1810. [Price 1s.

SUMMARY OF POLITICS.

SHUTTING THE GALLERY.——This is what I long ago suspected would be resorted to; and, when on the second day of the Session, MR. YORKE complained of the evil effects of the Speeches, made in the House of Commons; of the sanction which they gave to persons out of doors to spread about sentiments, calculated "*to* "*make us hate one another;*" when I heard this, I was pretty sure, that the *last* remedy, or the last *but one*, was about to be tried, in order to prevent us "from spread- "ing about sentiments, calculated to make "us *hate one another.*"——The motive for this measure is so clear; it is so evident to every man of common discernment: it so plainly speaks for itself, and is so universally understood, that I shall not waste one moment in remarking upon the measure itself. That measure has done more than the publishing of a years' debates. It is a trumpet-tongued fact; and it has already done its business. Only let us remember, *who* it was that brought forward the measure. Let us keep him in mind.——But, a debate, which has arisen out of this measure, is well worthy of our attention. I mean, the debate of the 6th instant, upon MR. SHERIDAN'S motion for a Committee to consider of the Standing Order for excluding Strangers, in which debate MR. WINDHAM took a conspicuous part, and upon which part, so taken by him, it shall be my business to comment at full, after I have inserted what has been published as his Speech upon that occasion, and have given some account of what appears to have been said by others. ——— MR. SHERIDAN acknowledged, that the right of any member to move for the exclusion of strangers was recognized by a Standing Order, and that his motion needed no one to second it, nor need he state any reasons; but, that, upon the bare motion of any member, at any time, the house must be cleared of strangers. He acknowledged that this was the *law* of the House; but, he insisted, that there were many other of its laws, which had fallen into disuse; and, he said, that what he wished for was, not a rescinding of the Order, but such an alteration of it as would prevent any member from clearing the gallery at his will and pleasure; that he wished the matter to be subservient to reason, and not left to wild caprice, or, which was worse, to make the liberty of publishing speeches subservient to partiality, and, in fact, making it a sure means of deluding the public. —— In answer to this speech of Mr. Sheridan came that of *Mr. Windham*, and, as I mean, that he shall, in this instance, at any rate, have no reason to complain of a want of *full justice*, I shall give his words, just as I find them published in the news-papers, not looking upon myself as answerable for their correctness. I find a publication of a thing, called a speech, under his name, and upon that publication I shall freely comment.——"Mr. Windham said, he "supposed it might create some surprise "that he should, on the present occasion, "speak and vote against the motion "brought forward by his hon. friend. "This was, however, one of those acci- "dental matters in which he had always "differed in opinion with his hon. friend. "His hon. friend had said, he thought it a "matter of importance; he for his own "part confessed he did not think it was. "This would frequently be the case. *The* "*importance of the war* had not weighed "sufficiently with his hon. friend to bring "him to the House in the various ques- "tions concerning it, though this Standing "Order had produced that effect. His "hon. friend had always been an advo- "cate for the Liberty of the Press. He "(Mr. Windham) was the same; but on "other grounds, and what had been said "by his hon. friend on the present ques- "tion, seemed to him to be rather the "matter of a threat than an argument. "To allude to the enforcement of all "other Standing Orders was a threat, and "not an argument. This Standing Order "had obtained and been submitted to for "a century, and no inconvenience had "been found in it till within the last 30 "years. His hon. friend seemed to con- "sider the right of admission of strangers "into the gallery as a part of the consti-

" tution; whereas, on the contrary, it had " been granted as a mere matter of favour. " He would first ask, how much the coun- " try had gained in its affairs since that " practice had obtained? He could not " say in what respect the country had " gained any thing; past times might be " contrasted with the present: but still, " from the daily manner in which the de- " bates were published, he wanted to know " in what way he was to state the advan- " tages accruing to the country. *What " was the value to their constituents of know- " ing what was passing in that House? Sup- " posing they should never know*, it was only " the difference between a Representative " government and a democracy. Till " within the last twenty or thirty years, it " not only was not practised as now, but " it was not even permitted to publish the " debates of that house. So lately as the " time of Dr. Johnson, the debates were " never published but under fictitious " names. He was one of those who liked " the constitution *as it was*, he did not " like it *as it is*. If this had been tolerated, " winked at, and suffered, it was no reason " that it should on all occasions be conti- " nued, and that persons should make *a trade* " of what they obtain from the galleries, " among whom were to be found men of all " descriptions; *bankrupts, lottery-office keepers, " footmen*, and *decayed tradesmen*. He had " heard that the Proprietors of Papers had " talked of the injustice of closed doors. " This was taking up the subject as if the " admission of strangers into the Gallery " was a privilege, but it was no such thing, " and though he might perhaps think it " useful after having so long prevailed, " he did not allow it to be a privilege. " Were that the case we should come into " a state of democracy; a state like that " of Athens. He did not think accounts " in the Daily Papers were so desirable as " many others did. They had lately re- " viled Government so far as to assert, " that some of their cotemporaries were " in the pay of Government. What did " this prove? not the value or actual im- " portance of Papers; but it clearly shewed " that if Government could have them in " their pay, then Papers were liable to be " let for hire; to be bought and sold; and " the press, which has been thought in " this country the palladium of its liberty, " was always to be purchased by the high- " est bidder. He did not wish to estab- " lish such a power in the press as to en- " able it to controul Parliament. *He did " not know any of the Conductors of the Press;* " but he understood them to be a set of " men *who would give into the corrupt mis- " representation of opposite sides*; and he " was therefore determined not to lend his " hand to abrogate an order which was " made to correct an abuse. He now saw " that it led to consequences of a most " mischievous tendency; no less than to " change the character of a Representative " Government into that of a democracy; " and led directly to that despotism *which " had so lately desolated other countries*. He " did not like to part with a Standing " Order, which, though it might have run " to rest, would not in former times have " led to any mischief, and he could see no " reason why it should now be laid pro- " strate at the foot of the very worshipful, " but he would not say ancient, *Corpora- " tion of London Printers*. Those gentry " had their favourites. His hon. friend " was esteemed and hailed by them as a " general patron of the London Press. He " thought the House ought to discard a " sort of disgraceful objection to its pro- " ceedings, and maintain those rules and " orders which has so long prevailed. He " would assert, that the rights of the House " were now in danger of being lost from " misuse. It was like shutting up the " gates of a park, in order to prevent a " custom to a path-way. It was like the " O. P.'s, who had set themselves up as the " people of the country, and by a system of " opposition and violence had compelled the " Proprietors of the Theatre to give them " plays at their own price. In this way " the Proprietors of Newspapers told them " that the people must have a daily pub- " lication of the proceedings of that House " at their breakfast; and, in the name of " the Public, say, we have that right, and " have friends in the House that will sup- " port us in our claim. His hon. friend " had said the character of the House was " at stake; according to which argument, " all the Houses for the last thirty years " had no character or ability at stake. " His hon. friend was now also most " anxious for the characters of Ministers: " he could not blame him for that sensibi- " lity, but he (Mr. Windham) was anxious " for the fame of this House, and could " not see why they should hesitate in sup- " porting a Standing Order, which had " the sanction of so many years in its " favour. For these reasons he should " certainly give his vote against the mo- " tion."——The motion of Mr. Sheridan

was supported by LORD FOLKESTONE, Mr. TIERNEY, Mr. P. MOORE, Hon. Mr. LITTLETON, and SIR FRANCIS BURDETT; and was opposed by Mr. YORKE and Mr. PERCEVAL.——Mr. Sheridan replied to Mr. Windham, "He said that his hon. "friend had begun his speech by criticising "his (Mr. Sheridan's) absence from the "House on former occasions during the "present Session. On this subject he "must take leave to judge for himself "when his presence in the House was ne-"cessary, and when not.—His hon. friend "had arraigned him for not being present "to support the charges which he stated "had been proved against his Majesty's "Ministers. On the first day of the Ses-"sion he had attended, and had voted for "the Amendment. Since that period he "had been much occupied with private "business; but he had a right, when he felt "that a question was agitating of infinitely "greater importance than any question of "a mere political nature could possibly be, "to put aside his private business, and to "attend for the purpose of assisting in the "determination of that question. Such "was the present question. On the first "day of the Session he had heard one side "of the House arraigning the other as ut-"terly incapable of fulfilling the duties of "office. That might or might not be true. "But the other side retorted that they "were at least as competent as their ad-"versaries, and that they possessed at least "an equal share of the public confidence. "Now, for what he knew, the country at "large, with a very civil kind of impar-"tiality, might believe both parties— "*(a laugh)*. The inference which he "would draw from this circumstance was, "that the House should guard against add-"ing to the unfavourable impression "which such mutual accusations were "calculated to produce. His hon. friend "had called him 'a counsel for the Press.' "If he was so, he was an unfee'd one. He "was proud of the appellation. But he "confessed that he was a good deal sur-"prised when his Honourable Friend put "in *his claim* for a share of the distinction. "If on that ground his honourable friend "meant to hug him in a fraternal em-"brace, he begged leave to decline the "honour *(a laugh)*." "For myself," continued Mr. S. "I have always been a "friend to the Liberty of the Press. Give "to Ministers a servile House of Peers:— "give them a venal and a pliant House of "Commons;—give them the keys of the "Treasury and the patronage of the "Crown;—and then give me the Liberty "of the Press;—and with this mighty "engine I will destroy the edifice of cor-"ruption, and establish on its ruins the "rights and privileges of the people!— "His only object in the motion which he "had submitted to the House was, not to "prevent any individual member from "clearing the Gallery, but to require that "after he had done so, he should con-"descend to give some reason for the step. "The hon. Gentleman opposite said, it "was his humour. That was the very "thing of which he (Mr. Sheridan) com-"plained. If, after the exclusion of stran-"gers, the House should acquiesce in the "propriety of the motives for that exclu-"sion, the public would then be satisfied. "To some of the opinions of his hon. "friend, he had listened with the greatest "regret, and even horror. For the first "time in his life, he had almost wished "that the Public had been excluded from "hearing his opinions. The friendship "which he had long entertained for his "hon. friend, and his regard for his hon. "friend's character and honour, struggling "with his own sense of public duty, had "nearly induced him to regret that there "was a single stranger present, to listen to "or report his sentiments. His hon. "friend had asserted a broad general "principle, that the publication of the "proceedings of Parliament was injurious "to the country. He had declared, that "when the doors of the Gallery of that "House were closed, the country had done "well. He (Mr. Sheridan) was not one "of those who thought or spoke despond-"ingly of the situation, or degradingly of "the character of the country. On the "contrary, he was of opinion that Great "Britain stood on a proud eminence, strug-"gling as she was, and successfully strug-"gling as he hoped she would be, for the "liberties of the world. That honourable "spirit by which the people of England "were animated in this great contest, he "attributed to the Liberty of the Press "generally, and most particularly and em-"phatically to the liberty of reporting "and publishing the debates and pro-"ceedings in Parliament. But his hon. "friend had again *set up the old* BUGBEAR, "and had characterised this practice as "mischievous, and leading to *revolutionary* "*doctrines*, and to the undervaluing of the "blessings of the British Constitution. "The Liberty of the Press lead to revolu-

" tionary doctrines! Was it the Liberty " of the Press which brought on the " French revolution? Was it not rather " the extinguishing of every opportunity " by the press of giving vent to complaint " which produced that event? What " had occasioned the fall of all the rotten " monarchies of Europe? Was it the " Liberty of the Press? No! It was the " absence of that liberty. If the Liberty " of the Press had existed in France, in " Austria, in Prussia, in Spain, those coun- " tries would not now be enduring the " oppressive domination of a Bonaparte." —— Now, I am about to offer some remarks upon this publication, called the Speech of Mr. Windham. I shall consider that publication as dividing itself into two parts, PUBLIC and PERSONAL. ——As to the first, we will begin where Mr. Sheridan left off, namely, at this reconjuring up of that old humbugging bugbear, the French Revolution, by the means of which so much mischief has been done in this country, so much oppression practised with impunity, and so much debt and misery entailed upon this credulous nation. Mr. Windham is afraid, that the securing to people admission into the gallery to take debates may lead to a repetition of all " the *horrors* of the French revo- " lution."——Reader, do you know of *any one thing*, which men in power dislike, which they do not tell you will tend to produce the horrors of the French revolution? Not one. The cry of No-Popery was not more scandalously hypocritical than this. The howl has never changed, though the state of France, and the example of France, have totally changed. When the nefarious howl was first set up, France was in a state of anarchy; it afterwards formed a sort of democratical Government; then a species of Representative Government; and, last of all, a simple military despotism; but, through all these changes, the cry of French Revolution has been kept up by those, who have wished (and for their own good reasons) to alarm and keep in subjection the people of England, who have been persuaded, by such persons, that, let what will be imposed upon them, they must bear it all, *or, that they must undergo the horrors of a French Revolution.* Complain of oppressive taxes and still more oppressive tax-gatherers, the answer is, " what, then, you would have " a French Revolution?" Tell the partizans of tyranny of any thing that you have to complain of, however galling, and their answer invariably amounts to this, that you must quietly submit to it, or that you will see " all the horrors of a French " Revolution". This has been a potent engine in all sorts of ways; with juries, with public bodies, with thousands and hundreds of thousands of honest individuals. It is time, however, that this scare-crow was universally despised; nor, if any one has still the confidence to make use of it, would it be amiss to enter into an examination as to what France has *lost* or *gained*, by her revolution. Of one thing, at any rate, we are certain, and that is, that we hear of no such *inquiries* going on in France as we have seen going on in England.——Baron Dotro is, it seems, to have a pension of 2,000*l.* a year for *three generations*, out of our taxes. The honourable Mr. Villiers is a representative of the King in Portugal. Mr. Hunt is a member of the House of Commons, and has voted this sessions on the side of the minister.—— Mr. Windham accused Mr. Sheridan of not attending the House upon important subjects, like that *about the conducting of the war*, to which the other replied, that he looked upon this question as being of much greater importance. To be sure; and who does not? The questions about the war are, in fact, questions about the turning out of the ministry; questions about the putting out of Lord Hawkesbury and putting Mr. Windham in his stead, and these are questions, in which no man of common sense can feel the smallest interest. Mr. Windham may be angry that the public are cold upon that point; but, I can assure him, that it is a point, upon which they are even more indifferent than upon a choice between the two kings of Spain, Joseph and Ferdinand. No; this is not what interests the people of England. They are no longer to be cajoled into the trammels of *party*. That is over. They feel their grievances, and, if these are to continue, they care not one straw who have the benefit of them. The set now in power endeavour to scare them, upon all occasions, with the horrors of the French Revolution, and Mr. Windham does the same. He may, therefore, be out of temper with the people for their indifference, but his anger will be of no avail. This question, brought forward by Mr. Sheridan, was a question in which the people were *really interested*; for, it was of importance for them to know *how the members acted*, during the inquiry that is going on. This they are now prevented from

knowing, in consequence of the Debate-Reporters being shut out of the gallery. Mr. Sheridan's object was to re-open that gallery; and, compared to such a question, what was all the party trumpery about the *conducting of the war?*——Mr. Windham asked, "what was the value to "their *constituents* to know what passed in "that House." Very true: to the constituents at *St. Mawes*, or *Higham Ferrers*, or *Old Sarum*, it may be of little value; but, to the constituents of Sir Francis Burdett, for instance, it is of very great value to know what passes in that House.——He said, that the Debates were not permitted to be published till within these last thirty years, and that the state of the country had *not improved* during that time; a notorious and melancholy truth, but, then, he should have added, that he himself had been a minister during no small part of that time.——But, I find that, for want of time, I must put off till another week, any further observations upon the *public* part of this speech, and devote the little time I have left, to the *personal*, the gross *personal attack*, contained in this publication, called a Speech of Mr. Windham.——That gentleman is represented, in the speech above-inserted, to have said, that "the publish-"ers of Debates, made a *trade* of the "thing;—that, amongst these publishers "there were all sorts of persons, *Bankrupts*, "*Lottery-Office keepers*, *Footmen*, and *De-"cayed Tradesmen*; that he did *not know* "any of them, but that *he had heard*, that "they were a sort of men, who would give "into *corrupt misrepresentations of opposite "sides.*"——In the first place, this general, this sweeping assault, and that, too, in a place where he well knew that none of the assaulted parties could answer him without the certainty of being sent to Newgate, was any thing but manly.——In the next place, the description is not true, but as far from the truth as any thing well can be. I can, for my part, see nothing despicable in the trade of a Lottery-Office-keeper, any more than in that of a stock-broker; in both cases, there is a species of gambling, but one is just as fair as the other, and, the thing being so common, there is nothing, in either trade, to render the person who follows it an object of obloquy. But, as to the *fact*, it is *not true*. There is no person in London, *at all connected* with the taking or the publishing of Parliamentary Debates, who does, or *ever has*, kept a Lottery Office. So much for that part of the charge.——Then, as to *Footmen*. Upon what ground does Mr. Windham assert, that there are footmen amongst those, who are concerned in the taking and publishing of Debates? Is the taking of those debates, and the preparing of them for the press, a footman-like talent? But, the fact is *not true;* I assert the fact to be totally destitute of truth. The gentlemen, who *take* the debates in the gallery, are, and, indeed, they necessarily must be, possessed of great and rare talents. The education of most of them has been of the superior kind. Many of them have been at College with the members whose speeches they are employed to report; and, I am assured, that, in some instances, those in the Gallery have received prizes, and actually beaten those upon the floor. Was it, then, fair play, to describe these gentlemen as footmen; as the lowest and most contemptible of mankind; and, that, too, I repeat it, in a place, where he who was giving the description knew that the aspersed party dared not to answer him?——But, even this would not have drawn an observation from me, had not the attack been so directly levelled at one *particular individual*. Mr. Windham spoke of *Bankrupts*, as being conspicuous amongst those who are engaged in the publishing of Parliamentary Debates. He puts *Bankrupts* at the *head* of the degraded list.——Mr. Windham has never, upon any occasion, that I have observed; and, I appeal to the reader, whether I may not say, that he never, upon any occasion, has expressed the slightest degree of disapprobation of *any peculator*, great or small. Never; and, when the most corrupt practices have been brought forward, such as the selling and the buying of seats in the House of Commons, he has been not *amongst* the first, but the very first, the very foremost in the foremost rank, to apologize for, or to defend, such practices, and to attribute all complaint against them to popular clamour and seditious views. Yet, this Gentleman appears to hold a *Bankrupt* in perfect abhorrence! If there were, amongst the reporters and publishers of Debates, persons, who have been reduced to a state of Bankruptcy, would it follow, thence, that it was not useful and proper to publish the Debates? A man may become a bankrupt, without any blemish to his character; and, what is more, the literary and political turn of mind, which may eminently fit for the taking and the publishing of Debates, may have been the very cause of his failure in

those concerns, which demand qualities of a different description. How many good, how many excellent men, do every one of us know, who have been Bankrupts, or, at least, who, without any dishonesty, either in act or intention, have been unable to pay their debts?——Besides, if we were to allow, that to have been a bankrupt is sufficient to make a man for ever afterward an object of contempt, what Bankrupt is there, who has any thing to do with the taking or the publishing of Debates? Where will Mr. Windham find any Bankrupts amongst them? And what right could he have, unless he had named the parties, to declare in the face of the whole nation, that the persons who had to do with the Debates had bankrupts amongst them? Can he point out any one man amongst them, who is, or ever has been a bankrupt?——Yes, he *does know one*; and, the public shall now have an opportunity of judging of that *nice sense of feeling* and that *high-mindedness*, which have been thought to belong to Mr. Windham's character.——The gentleman, here alluded to, is MR. WRIGHT, who has always been the sole editor and part proprietor of my PARLIAMENTARY DEBATES, which have now, under his ability and unwearied attention, reached to 14 Volumes, the execution of which has been admired by every body who has ever seen them.—— Mr. Wright, in the year 1801, failed, in the trade of bookselling, which he carried on in Piccadilly. With all the circumstances of that failure I was particularly acquainted. He was, in the first place, too young for such a business; he was a batchelor; he took more delight in reading of books than in selling of them; and, which was the chief cause of his pecuniary failure, he had the misfortune to be bookseller to Messrs. Canning, Frere, Ellis, and the other Anti-Jacobins, by whose works, though such a puffing was made about them, he, to my certain knowledge, lost many hundreds of pounds. His *Bankruptcy*, however, was, at last, to be attributed to *a want of collecting his debts*: and, if all had been well managed, as in such cases things never are, he would have had more than sufficient to pay every farthing that he owed. I, who was one of his creditors, was so well convinced of his honourable conduct, that, finding him sued by one person, who had not come into the list, I assisted him through that difficulty; and, seeing him once more ready to begin the world afresh, I proposed to him the editing of the PARLIAMENTARY DEBATES, of which we have now continued the publication since the year 1803. Since that, as the public well know, the PARLIAMENTARY HISTORY and the STATE TRIALS have been undertaken by me, towards the compiling of the former of which, in particular, Mr. Wright greatly contributes.——Was it, then, at this distance of time, right to revive the recollection of this gentleman's pecuniary embarrassments, not only with which, but with the whole history and detail of which Mr. Windham was perfectly acquainted? It could not be *a slip of the tongue;* for, we have *bankrupt* at the head of the list, and *decayed tradesman* at the end of it. Was this attack, then, manly? Was it liberal? Does the reader discover in it any of that tenderness and delicacy, which Mr. Windham observes towards alledged corruptors and peculators?——MR. WRIGHT is, too, a person so well-known, so famed, if I may use the word, for the mildness of his manners, for his inoffensive and obliging disposition. Scores, and, I believe, I may say hundreds, of the members of the two Houses, have had experience of this disposition; and, I am not afraid to appeal to any one of them, of *any party*, whether he has not always found Mr. Wright ready to correct any error, and, in short, ready to do every thing, which appeared necessary to the making of the Debates as nearly as possible a record of what actually took place in the House. Through the whole of the 14 volumes, there is not a single instance of partiality; and, though Mr. Windham was pleased to say, that he "*understood*" the publishers of debates to be "a sort of men, who would give into *corrupt misrepresentations* of opposite sides," Mr. Wright, though he has frequently been offered money for the inserting of particular speeches, has never taken a farthing in his life, and I hereby defy any one to say, that he ever did, or that a farthing was ever taken by any one, who has had any thing to do with the work.——Is the public to be reminded, then, with respect to such a man, that he was once a Bankrupt? Nay, is he still to be called a Bankrupt? Is a person, who once fails in trade, no matter from what cause, to be trodden down for ever? Is he, if he happens, as is the case with Mr. Wright, to recover, by his talents and industry, what he has before lost, and to be in a fair way of passing the rest of his life in ease and respectability; is he, in such a case, to be twitted with his former

failure; and is the public eye, ever-and-anon, to be drawn back to the date of his pecuniary distresses?—Still, however, in any *other* member of parliament; nay, in almost *any other man in the whole world*, Mr. Wright might have forgiven this attack; but, in Mr. Windham, it is not to be forgiven.—— What I am now going to state is not at all necessary to the vindication of the character of Mr. Wright, whose character is known to so large a portion of the public; but, I shall state it, in order to enable that public to form its judgment upon the attack on that character.——Be it known to the public, then, that, of all the Noblemen and Gentlemen, for whom Mr. Wright has corrected or inserted Debates; of all the persons, whom he has ever obliged in this way, he never obliged any one so much as Mr. Windham; nay, I am of opinion, that he has done more to oblige Mr. Windham in this way, than he has ever done to oblige all the other members put together. This seems hardly credible; but, it is the fact. This gentleman, who carries his contempt of the "*traders*" in debates to such a height; who, to hear him, one would think, would disdain to speak to them, much less to have recourse to their assistance; this high-minded gentleman, this Mr. Windham, *who does not care whether his constituents know what is passing or not;* this same gentleman has given Mr. Wright more trouble about his speeches than, if it had been duly paid for, would have cost, according to the worth of Mr. Wright's time, five hundred pounds. Innumerable are the times that he has sent for this "*bankrupt*" to his house to consult him about the correcting and publishing of his speeches; Mr. Wright has received, he supposes, *two hundred* notes and letters from him upon the subject of his speeches, made at different times; and, as to "giving "into corrupt misrepresentations," so far from his ever having witnessed any disposition of that sort in Mr. Wright, we have, both of us, though his speeches gave very great trouble and put us to considerable expence, took pleasure in having them upon record as full as possible. In the Printer (Mr. Hansard's) bill for the Debates of the very last Session, there is the following charge against us:

"Corrections, Revises, Slips, &c.
"&c. of Mr. Windham's
"Speeches (various) . . £.9 11 6"

Now, observe, reader, not the *printing* of his Speeches, after he had altered them from the news-papers, or written them out a-new; not, the *printing*, but the *alterations* made by Mr. Windham himself, *after* the speeches had been printed off upon slips of paper. Mean wretches, as he chooses to represent us, all in a lump; and "bankrupt" as Mr. Wright was to be still called, Mr. Windham never heard of this charge before; no, nor of any other such charge, though we are both of opinion, and I state it as a truth, of which we are convinced, that, during the 14 Volumes of Debates, *alterations*, of the sort above-described, made with Mr. Windham's own hand, upon slips sent to him at his request, and without any possible view of gain on our part, have cost us upwards of *seventy pounds*.——Mr. Wright has sent him *proofs*, and even *revises* (that is to say, second proofs) down into Norfolk; and, what I suspected, but did not *know*, till I came to town, the publication of the last Volume of Debates was *delayed* for weeks, in order solely to oblige him.—— These facts, while they enable the public to judge of Mr. Windham's conduct towards Mr. Wright, will also enable them to form a pretty correct estimate of the sincerity of that *carelessness*, which he professed to feel as to what became of his speeches after they were uttered. But, there is still a fact to be related, which will place this sincerity in a very nice point of view; and that is the fact, that Mr. Windham, who has such a contempt for the Reporters and the Gallery, has, not once or twice, but many times, asked this "bankrupt," whether he was *well heard in the gallery;* what *impression his speech produced;* and consulted with him how he should *modulate his voice*, *how* and *where* he should *stand*, so as to be *best heard in the gallery;* aye, in the gallery, by those "bankrupts, lot-"tery-office-keepers, footmen, and de-"cayed tradesmen!"——Such are the facts.——And "he did *not know* any of "the conductors of the press, but he had "heard about them!"——The comment I leave to the public; but, I cannot help adding, that I regard this attack upon the characters, in a lump, of the persons connected with the press, as of a piece with all those numerous means, which since about a year ago, have been put in motion for the purpose of *stifling the press*, towards which end nothing would be more likely to contribute, than the creating of a general belief, that we, who are the conductors of the press, are, without discrimination, a set of worthless wretches.

Upon public ground, therefore, as well as in justice to Mr. Wright (the attack upon whom was too palpable not to be perceived by every one), I have stated the above facts; and, upon public ground I insert the letter, which will immediately follow this article, and which will be found well worthy of the reader's attention. I am told, that the author of it is a young gentleman of very amiable character, a good scholar, and an excellent artist into the bargain. And, does Mr. Windham suppose, that such men, because they have not privilege of parliament, have no feelings? Some persons may say: "it is *impossible*, that he "should *mean* to allude to Mr. Wright." One would hope so, if one could; but, when we, in looking round, can find no other person, at all connected with debate-publishing, who has ever had the misfortune to be a Bankrupt, we must conclude, either that he meant to point at Mr. Wright, or, which does not much mend the case, that the charge was made without the least consideration as to any fact in support of it.

Wm. COBBETT.

London, 9th Feb. 1810.

Mr. Windham's Attack upon the Press.

(From the Morning Post of Feb. 8, 1810.)

Sir—A proper jealousy of character, and a due estimation of public opinion, have ever been considered by wise and virtuous men as among the surest indications of the presence of wisdom and virtue. The laudable sensibility which you have shewn to the aspersions of Mr. Windham on the Editors of the London Newspapers, and my long experience of the liberality of your mind, justify me in the conviction that you will allow to an individual of another class, which has incurred the unmerited censure of that Gentleman, the privilege of entering his protest against the justice of that censure, and against the accuracy of the statements upon which it was supported.——Mr. Windham has thought fit publicly to characterise the Reporters of Parliamentary Debates in terms of general and unqualified reprobation, too gross to be repeated, and as unfounded in truth as they were coarse and illiberal in expression. I will venture to assert, without fear of contradiction by any one who knows those gentlemen, that there are among them men of as respectable birth, of as liberal education, of as honourable principles, and of as fair fame, in the comparatively limited circle in which they move, as their accuser himself, with all those adventitious advantages which the possession of wealth may have afforded him. It is rather too much when an individual such as I have described, preferring honourable and vigorous exertion to ignoble idleness, has been daily and nightly toiling in the execution of a task of the highest interest to the public; and who in the faithful execution of that painful task (equally harrassing to the mind and to the body) enjoys, as the sole satisfaction for a shattered constitution, the consciousness of deserving well of his country—it is rather too much for such an individual, so circumstanced, to hear a member of that house of parliament, whose proceedings it has been his anxious wish and endeavour accurately to convey to their constituents, speak of him in language, the bare recollection of which raises in my cheek the blush of shame and indignation. I appeal to my countrymen whether it is consonant to the generosity and courage of Englishmen to attack any man under circumstances in which the assailant is assured of impunity? Protected by the privileges of the House of Commons—privileges which no one respects more than myself—Mr. Windham has ventured to describe us as a worthless and venal set of men. Sir, I call upon him to prove his assertion. I call upon him to adduce an instance of that venality. Let us have facts, not insinuendoes. I will set the honourable gentleman an example. I will state a transaction which occurred at no very distant period; and the truth of my statement I am prepared to establish in any way that may be demanded of me. A member of the present house of commons (a gentleman of whom I am sure I am not disposed to say any thing at all disrespectful) sent me a note, during an important debate, intimating that he was about to address the house, and requesting that I would pay particular attention to his speech; adding that he would make me a handsome pecuniary acknowledgment for my trouble. It was not difficult for an honest man to decide how to act on such an occasion. To the note I gave no answer; and to the honourable gentleman's speech I paid precisely that attention to which, in the exercise of my judgment, and in the discharge of my duty to you, Sir, and to the public, it appeared to me to be entitled.—The next day the honourable member inclosed to me a check upon his

banker. This I instantly returned, accompanied by a few lines, in which I observed that he had entirely mistaken my character, and I firmly believed the character of all my coadjutors, if he imagined that we were to be influenced in the performance of that which we conceived to be a public duty by any private consideration. My correspondent then came up to the gallery, and we had a short conversation, in which I frankly expressed my sentiments on the subject, and which terminated by a polite acknowledgment on his part of my disinterestedness. To a gentleman, the Reporter of another Paper, this hon. member made a similar application, and from him he experienced a similar line of conduct. Now, Sir, to the general charge of venality, here are in reply two particular proofs of the contrary. Let Mr. Windham bring a fact in answer to them; and I assure him that I will be as ready as himself to attach to the person on whom he can fasten it the odium which he deserves. But, even in that case, a case the existence of which I at present totally disbelieve, Mr. Windham, in the opinion of every rational and generous man, will remain unjustified for having visited the sins of an individual upon a whole profession; and for having given to many a manly and independent mind the pain which those who are desirous of preserving the good opinion of their fellow-citizens, must feel at an attack so virulent and unprovoked.———As to the manner in which the task assigned to Parliamentary Reporters is executed, you will, perhaps, Sir, permit me to say, that when the peculiar inconveniencies to which those gentlemen are subject are considered, deprived as they are of those facilities which could so easily be afforded them, and even compelled to struggle for their situations in the gallery of the house of commons with the herd of common and comparatively uninterested strangers who frequent it, the accuracy of their Reports is a matter of surprise, and, I will be bold to add, ought to be one of general gratitude. That these Reports are free from error, nobody will assert; but that they are much more correct than under the disadvantageous circumstances of every description in which they are composed could possibly be expected, every candid man must willingly allow.—I am, Sir, your obedient humble servant,

A Reporter of Parliamentary Debates for the Morning Post.

COBBETT'S
Parliamentary Debates:

The Twelfth, Thirteenth, and Fourteenth Volumes of the above Work, comprising the Proceedings in both Houses of Parliament during the last Session, are ready for delivery. Complete sets from the Commencement in the Year 1803, may still be had of the Publishers.

*** *All Communications for the Parliamentary Debates will be carefully attended to; but it is particularly requested that they may be transmitted to the Publishers with the least possible delay.*

LORD GAMBIER.

Lord Cochrane's *Reply.—(Continued from p. 192.)*

2. Did you know previous to the 12th of April, of any anchorage above the Boyart-shoal and near the Palles shoal, for line of battle ships out of range of the enemy's shells?—*A.* I knew of no anchorage.—2. Have you acquired a knowledge of any such since?—*A.* I have not.—2. Were you in the road of Aix, after the British ships were placed for the purpose of attacking the enemy?—*A.* No. So much for this gentleman's knowledge of that to which he positively swears.—Now, Sir; let us see Mr. Stokes's evidence on this head. "He does not know the distance between the sands from his own soundings," yet he positively swears that "the space for anchorage is much confined, and the water round it shoal, that it is difficult for large ships, and that the Channel is very narrow."—Why, Sir, even by his fabricated chart, which he says he copied from the Neptune François, the channel is a mile wide, and neither bank or shoal between where our fleet lay and the Cassard and Foudroyant, which he has very injuriously contrived to put in a corner, a mile distant from Aix, though in his evidence he swears they were only one third of the distance, and here is his deposition.—"The Cassard and Foudroyant both lay afloat, the Cassard one third of a mile from Aix, the Foudroyant three cables length astern of her."—The reason, Sir, for making a corner between two shoals, and putting them in it, was to prevent the possibility of getting under their sterns and between them and the ships on shore, which, Mr.

Stokes has sworn, "lay on the Western part of the Palles shoal, the three decker on the North West edge of the Palles shoal, with her broad side flanking the passage, the N. W. part nearest to the deep water," although in his fabricated chart he has transported them from the N. W. part nearest to the deep water, to the S. E. side farthest from the deep water beyond the Tonnere, where he says they "never could have been got at for the shot to reach." This chart, it is affirmed by Mr. Stokes, is taken from the Neptune, but the space is contracted to about one third of its size. For what reason, Sir, could this be done, but to induce a belief of the "unwarrantable peril," to which his Majesty's ships would have been exposed. Mr. Stokes confessed on his examination his ignorance of the distance between the sounds, and yet presumed to deliver to the Court a chart, not, of the scale of the Neptune François, of which, it professed to be a copy. And to crown all, Sir, after having sworn that it was a chart, of the position of the enemy's ships, on, and previous to the 12th April, he, on a subsequent day, when asked by the President, who observed that "the Ocean was not marked on the 12th, she was marked on the 13th," afterwards positively swears that the only ships marked on this foul fabrication, "are the ships that were destroyed." Yet inadvertently several officers have spoken to this chart as correct, and some have even deposed, that it was impossible to pass under the stern of the Foudroyant, between her and the bank, although, she was seven miles from them, and the bank, from nine, to thirteen feet, under water. I trust, Sir, this is sufficient, all this I can prove to the world by the testimony given by the witnesses themselves. Another naval member opposite has offered to prove a fact which, he must do me the justice to own, is not within his own knowledge—That I was to blame for the failure of the fire ships; and he states, first, that the explosion vessel was a signal to the fire ships, and next, that she was improperly exploded. Now, Sir, this gives me an opportunity to remark again on the conduct of the Court. How rigorous, as to the law on one side, and how lax on the other. Lord Gambier, too, has asserted that, which the honourable gentleman has undertaken to prove, but his Lordship did not prove it, and I will tell the House why he did not prove it, because the explosion vessel was no signal to the fire ships. Orders written out by me, were delivered by Lord Gambier in the cabin of the Caledonia, directing quite the contrary.—Ordering them to use their discretion as to the time when they were to be kindled, and had the state of the weather rendered it practicable to couple them together, the senior officer of each division of four, was to shew a lanthorn, or a false fire, to direct, whether, the long, or short fuses were to be kindled.—And an acknowledgment of the delivery of these Orders will be found in Lord Gambier's Official Letter, I think of the 10th of May. The Court, however, refused to receive this document which I offered to them, because, they said it was not relevant to the charge, although the Court, had not only suffered Lord Gambier to make the assertion, but had themselves examined several witnesses to the point. So far, Sir, from the explosion having been a signal for the fire ships to kindle, the fire ships were, by their written orders, to go in, in three divisions, each half a mile apart, and the explosion vessels half a mile a head of them. Thus much for the signal, and for the impartiality of the Court. Now, Sir, as to the place in which the vessel exploded; and Mr. Fairfax, one of the fabricators of the chart, is the only person examined to this point; he, Sir, notwithstanding that he has sworn that she blew up within two cables length of the Lyra, has a remark a little unfortunate, on a chart or in a letter, I do not remember which, in the Naval Chronicle (I think of July): "the French frigate *(F.)* cut or slipped before the fire ships got to where they were set fire to;" the fact is, Sir, the explosion vessel blew up close to her.—I submit to this house—many of the members are military men, and all are capable to judge of the fact, whether one hundred barrels of powder, covered with shells, and at least a thousand grenades, would not have destroyed the Lyra, if exploded, within two cables length. The Court, indeed, asked Mr. Fairfax "where he was when she blew up," and he answered, "In the Lyra."—In the Lyra, Sir, was his answer; the Court did not put a question on the minutes, Was you on deck in the Lyra? If I could make use of notes which I had taken, I might submit also to this House, whether, a man who was below, at the explosion of the first part of 100 barrels of powder, could get on deck to see the second part exploded. Lord Gambier's defence was full of accusations against me. Evidences were examined to

prove these, though they did not relate in any way to the charge, and I was not suffered to ask one single question to refute them, or to be present when the defence was read. Sir, I was even sent out of Court, and denied the privilege of hearing it, although, when an evidence on the late trial of a member of this House, I was sent for.—If, Sir, there were no other reasons for the production of the Minutes which I have called for, but that I am now put upon my defence: that accusations are made, which, in justice to my feelings, and my character, I must refute, I humbly submit to this House, that in justice to me they ought now to be produced, and I trust, Sir, that for reasons more important to the country they will not be refused; that this House will not shut their eyes and go blindfold to the vote. If so, the country must—will not follow their example. Sir, I shall not detain the House longer than to re-assert all that I have pledged myself to prove, and stake every thing that is valuable to man on the issue. If the Minutes are granted, I shall expose such a scene, as will, perhaps, make my country tremble for its safety. I intreat the House well to consider, that there is a tribunal to which it is answerable, that of posterity, which will try all our actions, and judge impartially.

EAST INDIA COMPANY.

Sir;—The measures, which are said to be in agitation between Government and the Company, make it absolutely necessary that the Public should be reminded of the state of the transactions betwixt those parties for some years past.

Series of Facts.

1. The mode established and pursued by Lord Melville, Lord Castlereagh, and Lord Morpeth, for bringing before the House of Commons a regular State of the Company's Affairs, was by the production of an annual Budget, with all the accounts that belonged to it, both at home and abroad, on the professed principle and for the declared purpose of the greatest possible publicity.

2. This form of proceeding was abandoned by Mr. Robert Dundas, in the year 1807, because the then actual state of the Company's affairs required another mode of investigation.

3. As the Company's distresses, however, were very pressing, an Act of Parliament was past, to enable them to borrow two millions on their Bonds, without any previous examination of their accounts, but with the strongest declarations on the part of his Majesty's Ministers that the Public was not bound or pledged, in any sense or shape, to answer for this Loan.

4. On the 7th of August 1807, the House of Commons resolved, "That this House "will take into consideration, early in the "next session of Parliament, the accounts "presented to this House on the 10th and "18th days of July last, respecting the "Revenues and Charges, and the Commer-"cial concerns of the East India Com-"pany."

5. The earliest day, that could be found for this promised investigation, was the 11th of March, 1808, when a select Committee was appointed "to inquire into the "present state of the affairs of the East "India Company, and to report the same, "as it shall appear to them, to the House, "with their observations thereupon."

6. The first document laid before the Committee, dated 1 April, 1808, and which is not yet made public, was an Exposition of the whole State of the Company's Affairs by the Court of Directors themselves, including the foreign as well as the home account. From the 11th of March to the 29th of April, the Committee made no report. On that day, a Petition was presented to the House itself, from the India Company, praying for immediate relief, and stating reasons for their not having been able to prepare such Petition before the 26th of April.

7. This Petition was referred to the Select Committee, with a general instruction "to examine the matter thereof, and to "report the same, as it should appear to "them, to the House;" but not separately from the whole subject of inquiry committed to them.

8. Their first and only report was not made till the 26th of May, and the printed copies of it not delivered to the Members until the 8th of June. All these unavoidable delays ended in a conclusion, which, undoubtedly, could not have been foreseen, *videlicet*, That whenever the report was taken into consideration, it would be in an empty House, or attended only by those, whom it concerned.

9. These, it was said, were Indian questions, which very few could understand,

and nobody would attend to. Nothing was in agitation, but the payment of a debt of a million and a half to the India Company out of the public purse, and the public had nothing to do with it! It was not an English question. Nothing, at least, can be more indisputable, than that the grounds of the Company's claim to the payment of a million and a half, supported by the Report of the Select Committee, are not at all understood.

10. From that hour to this, we have heard no more of the India Company in Parliament. There has been no Budget from the Board of Controul, nor Report from the Select Committee, expressly appointed in March 1808, to inquire into the State of the Company's Affairs, and to report the same. And even the Exposition of that State, drawn up by the Court of Directors, has been withheld not only from the Public, but even from the Trustees of the Public Purse, out of which the last million and a half was given to the said Company.—We are now in February, 1810, and the Company's Charter is going to be renewed. But, instead of paying for it, as other Corporate Bodies have usually done for every renewal of an exclusive privilege, it is actually said to be agreed that the Public shall lend or give them two millions more this year, to enable them to go on with their monopoly; that is, to enable a merchant to continue to divide 10½ per cent. without assets, on an ideal capital, of which there does not exist one sixpence in this world; and also to help them to export a million every year in gold and silver to China and India, as they have done for many years!—Of the House of Commons, generally, it is in vain to say any thing, except that they are the Trustees of the People, whom they tax. I shall, therefore, content myself with asking, in the emphatic words of Sir Philip Francis*, "Has the House of "Commons a moral right, does it possess a "constitutional competence, does it fall "within the limits of any rational idea of "the trust reposed in them, to feed the "wants and support the existence of a "mercantile corporation out of the public "purse?"—By others it is said, and it may possibly be true, that the two millions, which the Company are going to receive, are not to be given them by a grant of Parliament, but that they are to apply for an act to enable them to borrow so many millions on their bonds. Supposing this to be the case, it mends the matter very little. The money still is raised on the Public, and so much more of the Company's paper is to be forced into circulation. The whole of this question was slightly argued about three years ago, on occasion of the former Loan. On the part of the Company, it was said that they had a right to raise money on their own credit, that it concerned nobody but themselves, and that Parliament had no right to restrain them. On the other side it was stated that, in that very year, ending in March, 1808, by their own estimate, the domestic Balance against them, that is the excess of their payments beyond their receipts here in Leadenhall Street, would amount to 2,213,790*l.* and that, with a similar deficit for several years together, and saved only from avowed bankruptcy by new Loans, and Grants from Parliament, they continued to vote themselves a regular dividend of 10½ per Cent;—that, in favour of the Proprietors, the act of 1793 gave them a precedence in the application of the profits of the company in England, and allowed them to begin with their own dividend. Out of what Fund? Out of the net proceeds of their sales at home, and no other. It follows then that any dividend out of money borrowed, or from any fund but the net proceeds, is not only fraudulent on the face of it, but against law.—His Majesty's Ministers and others will be ready, as they always have been, to declare that the lenders of the two millions, on the security of the Company's credit, would have no claim on the Public, and with this help the measure will be carried again as it was before. The declarations of individuals, besides being open to dispute and explanation, bind nobody but themselves, and are conclusive of no opinion but their own. On the other side, the creditors will plead an Act of the Legislature, whose meaning is made known by their acts or resolutions, and not by the debates in either House. Supposing the borrower to be insolvent, the lenders will resort to the House of Commons for relief, with a plea, which it will be very easy to reject, but very difficult to answer. They will say that they confided in the care of that Honourable House, that it would not have allowed the Company to raise money on the community, without a certain knowledge, derived from a strict examina-

* Letter to Lord Howick, 1st July, 1807.

tion of their accounts, that they had a sufficient security to give, and that their creditors would be safe. They will tell the House of Commons, "In this case more "than any other, because the India Com- "pany is perpetually under the inspection "of Parliament, you are the Inquest and "Guardian of the Country: Whatever you "permit you sanction. We should not "have lent a shilling on the Company's "Bonds, without your Indorsement."

February 5, 1810. X. X. X.

THANKS OF THE CITY OF LONDON TO MR. WARDLE.

On Tuesday, January 30, Mr. Wardle attended at Guildhall, to receive the Thanks, and the Freedom of the City, in a gold box, of the value of 100 guineas, voted him by the Corporation, for his able and patriotic conduct in the House of Commons, in bringing forward Charges against the late Commander-in-Chief. He was introduced to the Chamberlain by Mr. Alderman Goodbehere and Mr. Waithman (the mover and seconder) attended by several of the Livery, who received him in the politest manner.—After administering the oath, Mr. Chamberlain addressed him in the following words:—

Gwyllim Lloyd Wardle, Esq.—I give you joy, and, in the name of the right hon. the Lord Mayor, Aldermen, and Commoners of the City of London, in Common Council assembled, and agreeable to their unanimous Resolution, admit you to the Freedom of the Metropolis of the British Empire.—The Court has likewise unanimously resolved, that you having, unawed by ministerial threats, exhibited serious Charges against the late Commander-in-Chief, which have been clearly substantiated, and which have in fact induced his Royal Highness to resign a situation, of which, in the opinion of the Court, he is unworthy, are entitled to the esteem and gratitude of this Court and the Country.—I am, therefore, Sir, to return you the Thanks of the Court, together with a Memorial of your admission to the Freedom of this City, in a gold box, of the value of 100 guineas, in grateful testimony of the high sense they entertain of the zeal, intrepidity, and patriotism, which are so eminently evinced in that arduous and laudable undertaking.—The Court having so fully expressed their sense of the importance of the late Investigation, and of your meritorious conduct and perseverance, there is nothing left for me to add upon that subject: but, Sir, allow me to express a wish for your health and happiness, and that you may live to witness the good which we may hope will result from your exertions; and may mankind in general, and especially those of exalted rank, and in confidential situations, be deeply impressed with the truth of what has been declared by the prince of historians, that

Mulier amissa pudicitia haud alia abnuerit.

Mr. Wardle then, on receiving a copy of the Thanks and the Box from the Chamberlain, addressed him as follows:—

Sir—With sentiments of the highest respect and gratitude, I accept the Freedom of the City of London. I am little capable of saying how much I feel honoured by so high and proud a mark of distinction: for, however strong my nerves may be, when my duty calls me forth in defence of the rights and liberties of the people; still when so highly respected a portion of that people are conferring upon me such an invaluable pledge of their approbation, I feel myself unequal to do more than offer my plain, but heartfelt thanks. And yet, Sir, it is not alone this mark of favour that I am bound to acknowledge; but I have also to express my gratitude for that uniform and steady support given me by the Citizens of London, during the progress of those unexampled attacks that have been made upon me, in consequence of that very conduct which has been so distinguished by their approbation. That support, Sir, has enabled me successfully to defend myself against my enemies—the enemies of every public man who dares to expose and attack corruption. By continuing to expose and attack it, wherever it may offer itself, I trust to having continued to me the confidence and support of the first City in the World!—It is no small satisfaction to me, to receive my Freedom, during the Mayoralty of a Gentleman, who has already shewn himself the firm friend of the Rights and Liberties of the People, and of our excellent Constitution—such as it once was; and such as, I trust, it once more will be!—To you, Sir, for the handsome and flattering manner in which you have conferred this high honour upon me, much is due; and I beg leave to thank you kindly.

OFFICIAL PAPERS.

AMERICAN DISPUTE.—*Correspondence, between* MR. R. SMITH, *the American Secretary of State, and* MR. F. J. JACKSON, *the English Envoy, &c. &c.*

MR. SMITH TO MR. PINKNEY.

(Continued from p. 160.*)*

The British Government ought not to have made such a proposition; because it not only, like others, naturalizes aliens, but in relation to the United States has even refused to discharge from the British service native citizens of the United States involuntarily detained. If an American seaman has resided in Great Britain, or has married therein, or has accepted a bounty in her naval service, his discharge therefrom, on the regular application to the British Government, has been invariably refused by its Board of Admiralty. This I state on the authority of the official reports made to this department.—It is, therefore, truly astonishing, that, with a knowledge of these facts, such a pretension should have been advanced at all: but, above all, that it should have been made a *sine qua non* to an act of plain justice, already so long delayed. This is the more to be regretted, as the omen does not favour the belief we would willingly cherish, that no predetermination exists in the Councils of his Britannic Majesty irreconciliable to an amicable arrangement of an affair, which, affecting so deeply the honour of the United States, must precede a general regulation of the mutual interests of the two countries.—After the correspondence with Mr. Jackson was terminated, two notes, of which copies are herewith sent to you, were presented to me in the name and by the hand of Mr. Oakley, the British Secretary of Legation.—The first requested a document, having the effect of a special passport or safeguard to Mr. Jackson and his family during their stay in the United States. As the laws of this country allow an unobstructed passage through every part of it, and, with the law of nations, equally in force, protect public Ministers and their families in all their privileges, such an application was regarded as somewhat singular. There was no hesitation, however, in furnishing a certificate of his public character, and to be used in any mode he might chuse. But what surprised most was the reason assigned for the application. The insult he alluded to was then, for the first time, brought to the knowledge of this Government. It had, indeed, been among the rumours of the day, that some unbecoming scene had taken place at Norfolk, or Hampton, between some officers belonging to the Africaine and some of the inhabitants, and that it originated in the indiscretion of the former. No attention having been called for, and no inquires made, the truth of the case is unknown. But it was never supposed that Mr. Jackson himself, who was on board the frigate, had been personally insulted: nor is it yet perceived in what way he considers it as having happened. It is needless to remark that any representation on the subject would have instantly received every proper attention. Another ground on which a protection was asked for, is the supposed tendency of the language of our newspapers to excite popular violence on Mr. Jackson's person. Had he been longer and better acquainted with the habits and spirit of the American people, he would probably never have entertained an apprehension of that sort. If he meant to animadvert on the free language of the newspapers, he might justly be reminded that our laws, as those of his country, set bounds to that freedom: that the freedom of British prints, however great with respect to public characters of the United States, has never been a topic of complaint; and that supposing the latitude of the American press to exceed that of Great Britain, the difference is infinitely less in this respect between the two, than between the British press and that of the other nations of Europe. The second note seems to be essentially intended as a justification of the conduct of Mr. Jackson in that part of his correspondence which has given umbrage. If he intended it as a conciliatory advance, he ought not to have preceded it by a demand of passports, nor by the spirit or the manner in which that demand was made. He ought, in fact, if such was his object, to have substituted an explanation in the place of his reply to my premonitory letter. But whether he had one or other, or both of these objects in view, it was necessary for him to have done more than is attempted in this paper. It was never objected to him that he had stated it as a fact that the three propositions in question had been submitted to me by Mr. Erskine, nor that he had stated it as made known to him by the instructions of Mr. Canning, that

the instruction to Mr. Erskine, containing those three conditions, was the only one from which his authority was derived to conclude an arrangement in the matter to which it related. The objection was, that a knowledge of this restriction of the authority of Mr. Erskine was imputed to this Government, and the repetition of the imputation even after it had been so frequently disclaimed. This was so gross an attack on the honour and veracity of the Government, as to forbid all further communications from him. Care was nevertheless taken, at the same time, to leave the door open for such as might be made through any other channel, however little the probability that any satisfactory communications would be received through any channel here. To the other inclosures I add a printed copy of a paper purporting to be a circular letter from Mr. Jackson to the British Consuls in the United States. This paper speaks for itself. As its contents entirely correspond with the paper last referred to, so they were unnecessary for the ostensible object of the letter, which was to make known Mr. Jackson's change of residence, and as the paper was at once put into circulation, it can only be regarded as a verbal address to the American people of a representation previously addressed to their Government; a procedure which cannot fail to be seen in its true light by his Sovereign.—The observations to which so much extent has been given in this letter, with those contained in the correspondence with Mr. Jackson, will make you fully acquainted with the conduct and the character he has developed, with the necessity of the step taken in refusing further communications from him, and with the grounds on which the President instructs you to request that he may be immediately recalled. You are particularly instructed, at the same time, in making these communications, to do it in a manner that will leave no doubt of the undiminished desire of the United States to unite in all the means the best calculated to establish the relations of the two countries on the solid foundation of justice, of friendship, and of mutual interest. With great respect, &c.

R. Smith.

MR. CANNING TO MR. PINCKNEY.

Foreign Office, May 27, 1809.

Sir—According to the intimation which I gave to you in our last conference, I have now the honour to inclose to you a copy of the Order in Council, which his Majesty has directed to be issued, for the purpose of preventing, as far as, possible any inconvenience or detriment to the Merchants of the United States, who may have entered into commercial speculations on the faith of the unauthorized engagements of Mr. Erskine, previously to the notification in America, of his Majesty's disavowal of those engagements.—Having had the honour to read to you *in extenso*, the instructions with which Mr. Erskine was furnished, it is not necessary for me to enter into any explanation of those points in which Mr. Erskine has acted, not only in not conformity, but in direct contradiction to them.—I forbear equally, from troubling you, Sir, with any comment, on the manner in which Mr. Erskine's communications have been received by the American Government, or upon the terms and spirit of Mr. Smith's share of the consideration.—Such observations will be communicated more properly through the Minister whom his Majesty has directed to proceed to America, not on any special mission (which Mr. Erskine was not authorised to promise, except upon conditions, not one of which he has obtained), but as the successor of Mr. Erskine, whom his Majesty has not lost a moment in recalling. I have the honour to be, with great consideration, Sir, your most obedient humble servant,

(Sgned) George Canning.

MR. PINKNEY'S ANSWER.

Great Cumberland Place, May 29, 1809.

Sir—I have received the communication which you did me the honour to address to me on the 27th instant, and will hasten to transmit it to the Secretary of State of the United States. No instructions or information from my Government, concerning the transactions in America, to which your communication alludes, having yet reached me, I can only express my concern, that the conciliatory arrangements concerted and concluded, as you have done me the honour to inform me, between the American Secretary of State and his Majesty's accredited Minister at Washington; acting in consequence and professing to act in pursuance, of regular instructions from his Court, are not likely to have all that effect which was naturally to have been expected from them. I have the honour to be, with great consideration, Sir, your most obedient, humble servant W. Pinkney.

FLUSHING.—*Report of Adjutant Frederick Dubourg on the present state of the Dock, Port, and Arsenal of Flushing, dated from thence, Jan. 4, 1810.*

PRESENT STATE OF THE DOCK.

The interior wood of the quay of the Dock, on the side towards the Arsenal, is destroyed. The ground has been dug away, and thrown into the Dock, on the paved side of the embankment.—The quay on the side of the Old Dutch Bank is in a good state, and nearly in the condition it was in before the occupation of the enemy. The Quay for careening, which had been repaired by the enemy, has been reduced to its former state. The gates of the Dock and the Sluices have been blown up. Some large pieces of the timber remain, but they are shattered. From the general appearance of the mines employed by the enemy, it may be supposed that the foundations have not been injured. Both within and without the gates of the Dock, many vessels or boats laden with bullets and bombs have been sunk. Within the Dock there is a great quantity of cannon, or bombs, and of bullets which the enemy had thrown hastily into it, presuming that they should not have time to carry them away. From the middle of the Dam on the outside of the Sluice, the Dock may be very easily emptied, and the condition of the foundation of the Sluice thereby examined. The vessels or boats may be easily raised, and the cannon bullets, and bombs extracted, and every other incumbrance that has been thrown into the Dock. The value of the useful articles so obtained will pay the expense of the labour, and even repair the Sluice, if his Majesty should think fit that it should be restored.

THE ANTERIOR PART OF THE DOCK TO THE CHAIN.

Here the enemy has thrown the cleansing utensils, which may be easily abstracted. On the bank called the Royal Hollandais they have thrown a quantity of rubbish, which has elevated the soil nearly as high as the marshes. They have also thrown in ten pieces of cannon.

CHANNEL.

The piles which were driven in, both perpendicular and horizontal, have some of them been sawed. A brig and a pinace have been thrown also into the middle of this channel. Also a boat on the north side; but all this may be easily removed.

THE ARSENAL.

The magazine and the different buildings attached to it have been burnt. The materials of building have been entirely destroyed.—The mercantile port has not been injured; there is only a boat at the entrance between the piers, which may with facility be drawn into the port. The same may be done with an English brig, which is very little damaged, and which remains near the Western Pier, under the ramparts of the town. This is one of those boats to which the enemy set fire on the approach of the French flotilla. In different situations on the bank there are about 15 wrecks of boats.——The English division which fled before the French flotilla, cut away its cables on setting sail. I have ordered the pilots to sound the channels, and to raise the anchors and cables which the enemy has abandoned. ——No vessels have been sunken in the Dykes. The enemy intended to do this, but he was not allowed time to accomplish his purpose. Two vessels laden with several kinds of artillery, have been taken in the ports. A quantity of bullets that the enemy probably had not time to remove, are now deposited here—It is not possible at present to estimate the number of vessels the enemy has lost, but by the wrecks that are visible every where, the loss must have been considerable. The boats we have employed have preserved every thing, and among the materials are some masts of ships of the line. Many bodies of men and horses are floating on the coast. An inventory is preparing of the effects abandoned by the enemy.

(Signed) DUBOURG.

The Secretary General Minister at War

(Signed) FRIREON.

LONDON:—Printed by T. C. HANSARD, Peterborough-Court, Fleet-Street
Published by R. BAGSHAW, Brydges-Street, Covent-Garden:—Sold also by J. BUDD, Pall-Mall.

COBBETT'S WEEKLY POLITICAL REGISTER.

VOL. XVII. No. 7.] LONDON, SATURDAY, FEBRUARY 17, 1810. [Price 1s.

"I will venture to prophesy, that, if the reigning notions concerning LIBELS be pushed a little "further, no man will dare to open his mouth, much less to use his pen, against the worst administration that can take place, however much it behoves the people to be apprized of the condition they "are likely to be in. In short, I do not see what can be the issue, but an universal acquiescence to "any men or any measures, that is, a downright passive obedience.——There is one great reason "why every patriot should wish this sort of writings to be encouraged; which is, that animadversions "upon the conduct of ministers, submitted to the eye of the public in print, must, in the nature of the "thing, be a great check upon their bad actions, and, at the same time, an incentive to their doing "what is praise-worthy. Nevertheless, if it be once clear law, that a paper may be a libel whether "TRUE or FALSE, written against a *good* or a *bad* man, when *alive* or *dead*, who is there that may not "continue a MINISTER, whether he has a grain of honesty or understanding, if he should happen to be "a favourite at court? The worse his actions are, the more truly sharp the writer states them; and "the more the public, from his just reasonings, detest and cry out against them, the more "*scandalous*" "and "*seditious*," of course, will be the libel. There is BUT ONE STEP FURTHER BEFORE "YOU ARRIVE AT COMPLETE DESPOTISM, and that is, to extend the same doctrine to words "spoken, and this, I am persuaded, would, in truth, very soon follow. And then what a blessed condition should we all be in! when neither the liberty of free writing or free speech, about every body's "concern, about the management of public money, public law and public affairs, was permitted; *and* "*every body was afraid to utter what every body, however, could not help thinking!*"——Letter attributed to the GREAT LORD CAMDEN, published in 1765.

SUMMARY OF POLITICS.

SHUTTING UP THE GALLERY.——Part of what I intended to say, under this head, last week, was omitted for want of time. I now, therefore, resume. As to the question before the House, I should have voted against the motion of Mr. Sheridan, had I been a member; and for these reasons; that, if, upon all occasions, *shut*, or *not shut*, were to be put to the vote, the consequence would be, as the House is now constituted, that the men in power would shut out the people when they pleased and would not shut them out in any case where those who opposed them might wish it. Nothing, therefore, would have been effected of any advantage to the cause of truth: a *majority* would have answered the ministers' purpose full as well as the mere motion of such a man as Mr. Charles Yorke, and, we know, that the staunch friends of our "*practical* constitu-"tion," contend, that it is absolutely necessary that every minister, that is to say, every one, who is, for the time being, the head servant of the king, should have a decided majority in the House; or, in other words, the power of doing just what he and his colleagues please, in the way of making laws and granting away our money. This being the "practice of the "constitution," and a practice, too, which both *parties* appear to approve of, there would certainly have been nothing gained by taking the power of exclusion out of the hands of individual members, and giving it to a majority.——As to leaving the Gallery open *as matter of right*, that is quite out of the question; for, such would be the noise and tumult upon all occasions of great public interest, that the members would be unable to hear one another, and, of course, nobody in the Gallery could hear them. There must be, at once, an end to all debate-reporting, at least. A few persons might catch here and there a part of a debate with their ears; but no debate could ever go forth to the public. ——For these reasons I should have had no hesitation to vote against the *motion* of Mr. Sheridan, though I admire many parts of his *speech*, and wish, with all my heart, I could say the same with respect to any part of what I believe to have been his *motives*.——Mr. Windham reproached him with keeping away upon the great questions, relative to the war: that is to say, the great *party* questions. Every one has his taste. I, for my part, should, if it were not indecorous, reproach Mr. Sheridan, and most bitterly reproach him, too, for keeping away upon questions, wherein the *people* are interested. Upon questions relating to *sinecures*, to *grievous taxation*, to the selling and buying of *offices and seats*, to *parliamentary reform*, of which he was once the most distinguished advocate. These are the questions, in the discussion of which, I should like to see his brilliant talents exerted. I believe him to be a friend, and a very sincere friend, to the *liberty of the press*, and his speech, *as a defence of the press*, was not

less excellent in itself than it was well-timed; but, Mr. Sheridan is much too sensible a man to need to be told, that neither the liberty of the press nor any other right of the people can be safe, unless the people be *fairly represented in parliament.*——But, though I do not agree in the propriety of Mr. Sheridan's motion, I am very far indeed from agreeing in the main argument that was used against it; namely, that it would be *an innovation*, which argument comes, too, with so bad a grace from any of those, who have had a hand in ruling this unfortunate nation for the last twenty years, and whose constant and *only* argument for their *hundreds of departures from the constitution* has been, that, the *times having changed*, we must make a *corresponding change* in our laws and usages. Remind them, as my lord Folkestone most pertinently did, during this debate, of the changes which *they* have made; remind them of the taxing laws, by which a man's property is taken away by persons appointed by the crown, and without any appeal to a *jury;* remind them, that, while in cases where it is not necessary to a man's interest, he is compelled to employ persons in the profession of the law, he is in these taxing cases absolutely *forbidden* to employ any such person, however illiterate or feeble-minded he himself may be, nay, the prohibition is the same, if the taxed party be a woman; remind them of the *Barracks* all over the country; remind them of the regular military establishment *of Germans*, horse, foot, artillery, engineers, and staff, stationed in the heart of England; remind them that, while the Act of Settlement, by which, and by which alone, his Majesty's family was exalted to the throne of this kingdom, remind them, that, while this great constitutional law declares that no foreigner shall hold any post of profit or trust, civil or military, the fact is, that there are now about *seven hundred* persons, holding military offices of trust, in the *German establishment alone*, not including the other foreign corps; remind them, that, of these persons, many are put *to command English officers*, and that, in no less than three of the districts of this kingdom, some of these German Officers have great commands, upon the staff, one of them having no less than *five English Generals under him in command;* remind them of any of these things, or numerous others, at the very thought of which our forefathers would have startled with indignation and horror; remind them of the long suspensions of the *habeas corpus* act or any of the other encroachments upon our liberties; remind them of any of these things, and their answer invariably is, that *the times have changed*, that, of course, the laws and usages *must change with them*, and, how often have they had the effrontery to tell us, that one of the great benefits of the English constitution is, that "it contains "within itself the means of *suiting itself to* "*the exigency of circumstances.*" This was what they told us, when they were passing the acts to suspend the law of *habeas corpus*, and to inflict new and unheard of punishments for writing and publishing what were to be deemed libels. But, the moment you propose any thing in favour of the liberty of the subject; in favour of that "birthright" of Englishmen, for the better securing of which the king's family were expressly raised to the throne of our country; the moment you propose any change favourable to that liberty, that very moment do they set up against you a cry against *innovation.* It is, with them, no innovation to impose the Income-tax and Assessed taxes; to send people round papers and make them their own taxers under heavy penalties, in case of disobedience; to deny them a jury to appeal to in cases where so large a portion of their property is at stake, and in the same cases, to refuse, even to women, the assistance of any person learned in the law for the defence of her property; to do this is, with them, *no innovation.* It is no innovation to erect barracks; to introduce German regiments; to make English officers *serve under the command of German Officers even upon English ground:* these are, with our accusers, with the enemies of our liberties, no innovations; they fear nothing at all from these changes; but, dreadful are the dangers they apprehend, not from giving the people a right to enter the gallery of the House of Commons, but merely from making it, occasionally, a *matter of deliberation*, whether, in a particular instance, the gallery shall be shut or not; from this "innovation," what dreadful mischiefs are we not to apprehend! No danger in suspending the *habeas corpus* Act for several years together; no danger at all in that, nor in German Establishment, nor in the buying and selling of Seats. Mr. Windham, in particular, seemed to discover not the least possible danger from the traffic

in Seats. He openly declared so. And yet he is surprizingly alarmed lest the people should claim a right to be admitted into the gallery of the House, to buy or sell the Seats in which House appears to him so innoxious.——With respect to the shutting up of the gallery upon the present occasion, it is not necessary to say any thing, the object of it being too plain to be misunderstood by any man in the kingdom, ideots that can read not excepted; and, if there could have been any doubt upon the point, previous to the debate upon Mr. Sheridan's motion, it must certainly then have been removed by the original author of the exclusion, who, having been tauntingly asked why he did not clear the gallery during the Duke of York's investigation, answered, with his accustomed naiveté, that, *if he could have foreseen the nature of the evidence*, he would have cleared the gallery upon that occasion also. But, though I do not think it necessary to say a word as to the *motive* for shutting the gallery, or as to the effect it ought to have, and, in all likelihood, will have, upon the country, I cannot refrain from again complaining, that this measure has been accompanied with a violent assault upon *the press*, as far as that press is employed in the opposing of folly and corruption in public men.——This *attack upon the press* has, I beg the reader to observe, been systematic. It is now rather more than a year since it appears seriously to have been set about, and it ought never to be forgotten, that the first open invitation to the persecution of the press was given in a pamphlet addressed "*to Frederick Duke "of York and Albany,*" and published by EGERTON, bookseller to the Horse Guards. ——In this pamphlet, we had a foretaste of the doctrine that was afterwards to be held in the House of Commons by *Mr. Yorke, Mr. Canning* and *Lord Castlereagh*, and which was held by them during the debate upon MR. WARDLE's first preferring of his charges against the Duke of York. The first of the three took occasion, that evening, to assert, that there was a conspiracy existing in the country against the House of Brunswick; that made its approaches towards the king through his son, and that it was carried on *by the means of the press.* Mr. CANNING, upon the same occasion, asserted that the press was carrying on a systematic assault upon the kingly government; and, that its language was foul and degrading; and that its attacks upon high characters were *base*, and might be compared to the assaulting of females. LORD CASTLEREAGH, agreeing with the other two as to the *existence* of the evil, pretty broadly hinted at a *remedy*. He said, that any man might, with only a tolerable share of *low-cunning*, render *conviction extremely difficult.*——Ah! little did these two then think, that we should so soon, by the means of this same press, have to record, their going out upon a heath and shooting at each others heads, and that, too, about a quarrel for place! Since that time we have seen them both, against one another, *appealing to the press*; and, I now appeal to the public, whether in giving to the world *his* publications, the press has not amply avenged itself upon Mr. Canning for his charge of *baseness* against the press. Before the close of that investigation, at the opening of which Lord Castlereagh had assailed the press, and had lamented the *difficulty* of *convicting* men for writing and publishing libels; before the close of that investigation, my lord Castlereagh himself was *convicted*, not of writing or publishing a libel, but of offering a place of profit, within his gift, to be *swapped*, to be *topped*, as the horse-jockeys call it, *for a seat in that House of Commons*, where he had, but a few weeks before, made his charges against the press, and had lamented that low-cunning could save a libeller from conviction. ——These were the men with whom, in parliament, the assault upon the press began. Now, supposing the effect of the attacks upon them, by the press, had had its wished-for effect; namely, that of *driving them from their places*, would the nation have had to lament such use, made of the press? Would the nation have had to lament, with Lord Castlereagh, that it was *difficult* to *convict* of libels for such writings? Oh! how happy would it have been for England, if the press had succeeded in driving them from their places before they entered upon their last campaign, which has been more fatal to the country than any three of the most fatal campaigns of any of their predecessors? If the press had succeeded in driving them from place in the month of May last (and had it been free, as it ought, it would have therein succeeded) what enormous expence, what rivers of blood, what anguish, what torment, what disgrace would it not have prevented to this nation and its armies! The press endeavoured to effect this great object; it went as far as it dared; and, had it dared to publish the

truth, that object would have been accomplished, long before the fitting out of the Walcheren Expedition.——The province of a "*free-press*," is not to send forth primmers, spelling-books, systems of book-keeping, of geometry, and the like. This is not the province of a free-press; for any press, under the most grievous tyranny, may employ itself in that way. What is meant by "LIBERTY OF THE "PRESS," is, *the liberty of publishing one's opinions freely as to the character and the conduct of* MEN IN POWER; *men who have the management of the public's affairs.* If it means any thing; if it has common sense in it; if it be not a mere deceptive sound, it means this. The great and virtuous author of my motto, who was an honour to human nature as well as to his country, proceeds thus: with respect to libels "on a particular person, in his *pri-* "*vate* capacity, there may be some *little* "foundation for a doctrine of this sort" (the doctrine, *still maintained*, of truth being a libel) "because, as the welfare "of the state has nothing to do with his "private transactions, you ought not to "make reflections that may injure him in "his calling or his reputation; you must "always do this out of *personal spite*, and, "therefore, ought to be punished for such "your malevolence.——But, the case "is totally different with respect to *an* "*administration*; for the country in ge-"neral is always the better or the worse "for its conduct, and therefore every man "has a right to know, to consider, and to "reflect upon it. Their posts in the state, "or their public characters, are not like "any individual's particular trade, pro-"fession or fortune, or his private charac-"ter. The writing of them out of their "places in the government is not a loss, "for which they have any right to be re-"paied in damages. Their holding ought "only to be during good behaviour, and "of this the people at large ought to be "made judges.——When men find them-"selves aggrieved by the violence or the "misconduct of persons appointed to the "ministry, it is natural for them to com-"plain, to communicate their thoughts to "others, to put their neighbours on their "guard, and to remonstrate in print "against the public proceedings. The "liberty of exposing and of opposing a "bad administration by the pen is amongst "the necessary privileges of a free peo-"ple, and is, perhaps, the greatest benefit, "that can be derived from the liberty of "the press. But ministers, who, by their "misdeeds, provoke the people to cry out "and complain, are *very apt to make that com-* "*plaint the foundation of new oppression, by* "*prosecuting the same as a libel on the state.*" ——Such is the definition of the liberty of the press, given by the great LORD CAMDEN; and, indeed, if the *liberty of the press* does not extend thus far, I should be glad to know of what use it can possibly be for any of the ends which it is, or ever has been, supposed to answer. It is a thing very much boasted of; it is called the *guardian of our rights and liberties*; but, how is it to operate as a guardian of our rights and liberties, unless it be meant, that it is to attack those, who are *hostile* to those rights and liberties? And, of what consequence can that hostility be, unless the hostile persons have *power*? There are many ways, in which a free press may act for the public good; but, certainly, the way, in which it can be more efficacious than any other, is to expose the weakness or the wickedness of men in power; to shew their unfitness for the offices they fill; to pull the mask off from them, when they are hypocrites; to show how they have injured their country; and, by exciting the public indignation against them, to drive them from those offices, by the filling of which they are enabled to do mischief to the king and to his people.——There can, I think, be no doubt, in the mind of any man of common sense, and of impartial judgment, that such is the proper office, and not only the proper office, but the only greatly useful office, of a *free* press. Indeed, if such be not its office, it is absurd to talk of its *liberty*; if it be permitted to say nothing against those who are in power; if it be permitted to speak of them only in terms of praise, is it not a despicable mockery to talk of its liberty? In *praise* of a minister you may say as much as you please: no fear of exciting him or any of his underlings. Upon this theme you may enlarge: there are no bounds prescribed here: nay, if you must censure, and even if your propensity be to slander people, there is ample scope for you amongst the *opponents* of those in power, whom you may belabour as long as you please; till you be tired of the work, and till the public be tired of you. But, the moment you begin to animadvert upon the principles, the conduct, or the measures of men in power, that moment you are assailed with accusations of in-

measurable length and of thundering sound; the very least that is imputed to you is, that your words are scandalous, malicious and seditious, and that your intention is to bring his Majesty's government into hatred and contempt, and to hold in defiance his laws, his person, crown and dignity; when, perhaps, the whole that you have done is to hold up to the just indignation of your countrymen, the character, conduct or measures of some man, who never was fit for a minister, and of whose measures your country will, for years and years, have to rue the fatal consequences.——Of the lengths, to which those may go, who take the side of men in power, numerous instances might be given; but I will confine myself to one publication; and the specimen will not, I think, be regarded as the less complete, when I observe, that, of the authors of the work, from which I am about to quote, MR. CANNING (one of the foremost in censuring the attacks upon persons of high character) was at the head.——In the ANTI-JACOBIN News-Paper, which was, after its publication in single sheets, republished in TWO VOLUMES, Octavo, there are attacks, of the most libellous and of the coarsest kind, upon almost every man of any weight, who was, at the time of its publication (1798) opposed to Pitt and his set. In Vol. I. LORD MOIRA is accused of telling *tales* in order to *coax* the House of Lords. In the same place his features, his boots, his stock, his hat, and his whole *person* is ridiculed and abused. He is compared to the swaggering bully, PISTOL, in Shakespeare's plays. ——In the same article, Mr. Bryan Edwards, then a member of parliament, is called *Bruin*; and, as amongst the followers of Lord Moira, "*Old* Thurlow," and "*Old* Pulteney," are mentioned.——The DUKE OF NORFOLK is accused, in several parts of this volume, of endeavouring to *incite rebellion*, and of uttering treasonable expressions.——MR. FOX, in several places, is accused, in very unequivocal terms, of *hatching treason*, along with Mr. Tooke and others. He is called the modern *Cataline*. In one place he is represented as being *charmed* with treasons, rapine, prisons, scaffolds, blood, and with war against the great and good. In the same article the late DUKE OF BEDFORD and the then Marquis of Lansdowne are ridiculed.——The DUKE OF NORTHUMBERLAND is described as *intentionally* endeavouring to *cheat* the assessed-tax gatherer; and afterwards, in Vol. II. the grossest aspersions are cast upon his character, under the name of "*Duke Smithson.*"——But, not to take up my room with more particulars, there is, under the title of "Mr. FOX's BIRTH DAY," a string of scurrilities, such as I never saw, in any other publication, even in America. Here are introduced, the Duke of Norfolk, the Duke of Bedford, Mr. Bosville, Mr. Nicholl, Mr. Jekyl, Mr. B. Edwards, Sir Francis Burdett, Mr. Tooke, Mr. Fox (as the compeer of Robespierre and Collot D'Herbois), Mr. Tierney, and Mr. Erskine. Under a pretended account of the toasts, speeches, songs, &c. they are represented as uttering the most treasonable, and, at the same time, the most stupid sentiments; they are exhibited as beastly drunkards; as fools and knaves and blackguards, and, in short, every thing that is loathsome and detestable. A publication so gross and so malignant, it is, I believe, impossible to find any where else; and, that, if it had been published against *men in power*, it would have been punished with the utmost severity, we may safely presume, seeing that it was in the *very same year*, that poor GILBERT WAKEFIELD, was, for a publication quite inoffensive compared to this, sentenced *to two years imprisonment in a distant jail!*——Towards the close of their labours, the stock of these authors seems to have been pretty nearly exhausted, and they fell into something rather worse even than punning; for instance: "A letter from BAWBA-DARA-"ADJI-PHOOLA, to NLFK-AWL-ARETCHID-"KOOLZ." That is, "from Bob Adair, "a dull fool, to Nicol, a wretched quiz." ——This is your *gentlemanlike* writing, I suppose: This miserable play, not upon *words*, but upon *letters*: This wretched, vulgar stuff, such as one might expect from apprentice-boys or pot-girls. Is any thing so contemptible as this to be found in any publication that ever before made its appearance? And yet, this work was the joint effort of Mr. Canning, Mr. John Hookham Frere, and Mr. George Ellis. ——But, it is the abuse, the falshood, and the malice, which reigns, from one end to the other of it, that merits our attention; because Mr. Canning, without whose express approbation no article was inserted, is now one of the assailants of the press, upon the score of its attacking men of *high rank*, which attacks he was pleased to call *cowardly*. What epithets, then, did his attacks deserve, which were made under

the assurance of almost certain *impunity?* ——There is, however, a sort of codicil to the history of this Anti-Jacobin News-paper, with which the public should now be made acquainted.———The work, after having, in vain, endeavoured to rise in sale, never attained a publication of more than about 2,000, though, as may easily be conceived, every effort was made use of to *force a sale*, and though many persons took it from the same motives that they subscribed to the "*Voluntary* Contributions," at that time going on. The *public*, properly so called, were disgusted with it, and even the alarmists were ashamed of it. It was dropped; but the authors, hoping to preserve the *rhyme* part from oblivion, and, at the same time to gratify their "gentlemanlike" feelings, proposed, or, at least, assented to, the re-publishing of the rhymes, in a quarto edition, *illuminated* with plates, by that celebrated painter, Mr. Gillray of St. James's Street, who, for all his admirable representations of touring knaves and cut-throats, is said to be indebted solely to his mirror. This was the person, who was to furnish those *illuminations*, which were to preserve from the merciless trunk-maker the rhymes of Canning and Co. In plain English, he was to give a caricature, corresponding with the written description of each of the principal persons, who had been so grossly attacked in the work. The *printed* part of the book was finished in September, 1800, and the illuminations, from the hand of the worthy Mr. Gillray, were nearly all finished about the same time; when, whether from the alarming state of the country at that time, and a dread of any *change* which that might produce; whether from a forboding of danger, and of a day of retribution, without perceiving any specific cause; or, from whatever other motive, certain it is, that, *all of sudden*, our Authors, who had subscribed to the work themselves and encouraged it in all manner of ways, and who, Mr. Canning at least, had corrected the sheets, as they went through the press; *all of a sudden* they withdrew their names from the subscription list, and, as Mr. Gillray asserts, not only put a stop to his further operations, but Mr. Canning actually *took the plates into his own possession*; having stated which circumstances, I shall leave the public to form their own opinions as to the share which he had had in the selecting of the several subjects of those plates.——Now, reader, look at this transaction well. Give every part of it due consideration. Come to a correct opinion of it; such an opinion as plain good sense dictates; and, when you have so done; then remember, that it was Mr. Canning, who, a little more than a year back, inveighed, in such lofty strains, against the *dastardly* conduct of the press; against its *baseness* and *cowardice* in attacking persons in high rank; and, who was directly followed by his colleague, Lord Castlereagh, who, to Mr. Canning's accusations, added an expression of his regret, that it was so *difficult* to insure *conviction* in cases of libel.——Reader, you must remember the outcry that was set up, towards the close of the last session of parliament, against what was called the prevailing disposition to attack *all public men*, when the real truth was, there was nothing attacked but the base and detestable corruptions that made notorious to all the world, and which were attacked with becoming abhorrence by the Speaker of the House of Commons himself; but, suppose it had been otherwise; suppose we had attacked the *persons*, surely we had as good a right to attack persons with *truth* as Mr. Canning and his news-paper associates had to attack other persons with *falsehood*.

> "The great, it seems, are privileg'd alone,
> "To punish all injustice but their own."

But this conduct of the Rhodian Judges is surpassed by Mr. Canning; for he censures in us attacks which we *justly* make, while he, as we have seen, has made severer, or, at least, ruder and grosser, attacks *unjustly*. We accuse nobody of treasonable language and designs; we accuse no peer of *cozening* the House; we accuse no Duke of intentionally endeavouring to *cheat* the revenue; we deal not in the abuse and ridicule of the persons, the features, and the dress of public men; and what was he, I want to know, that he should make such attacks with *impunity?* Why, he was a favourite of the minister of the day; he was *under the wing of office and of power*. Talk of *jacobinism*, indeed! Talk of *levelling!* Talk of *pulling down dignities!* Look into the pages of Mr. Canning's news-paper; look into the scandalous volumes of the "*Anti-Jacobin*," and see how men of high rank are *there* treated. Is it not monstrous, then; is it not sufficient to awaken anger and resentment in the breast of any man who has a heart there, to hear other authors and publishers represented as aiming at the overthrow of

all government, though they have had this example before them, and have stopped very far short of its bounds?——But, no matter what the *pretence*, it is the liberty of the press itself, which is hateful, and which there exists an evident intention to destroy; and, the truth really is, that corruption must destroy the press, or the press will destroy corruption. It is a deadly struggle between them.——One would imagine, that, as danger approaches us, there would be a greater and greater disposition to relax in severities, to disarm men of their resentments, and to unite all hearts in the country's defence; but, after what we have seen, in all the countries subdued by Napoleon, we cannot be much surprized at what we now see in our own country.

SPANISH REVOLUTION, or TURTLE-PATRIOT WAR.——So, it seems, that the French, in spite of that "*defeat*," for which we are praising and rewarding Baron Doure and Viscount Talavera, have reached SEVILLE; and that the Junta, the "Supreme Central Junta," who (having *good advisers*, I dare say) began their labours by putting down the small degree of *liberty of the press* that had risen out of the absence, of the momentary absence, of despotism; yes, it does seem, from the news-papers of this morning, that this Junta, though they had taken the precaution to fortify their "regular government" by putting down the liberty of the press, have been obliged to quit Seville, and to flee towards Cadiz; that is to say, to get as far out of the reach of their pursuers as the sea will let them go.——Well; let that stand there. And, when we have leisure, let us look back a little, and see what this war in Spain; this war *for Ferdinand*, this war for *a king*, this war for the *prevention of change*, this war for the *support of the old order of things*, this war, as the pastry-cook called it, for the *holy altars* of Spain, this war, the object of which was first openly avowed at the dinner of the TURTLE-PATRIOTS, where the Lord Chancellor, he who had been one of Pitt's Attorney Generals, made a most flaming speech against Buonaparte's villainous attempts to rob the Spaniards of their freedom; yes, let us look back, only for a moment, to the time when the Turtle-Meeting took place, and see what this war has cost us, how large a portion of our means, how many thousands of valuable lives, and how much suffering from many causes, amongst which we must not forget *increased taxation*.——Numerous as the German troops, in our pay, are, we have, upon a moderate computation, lost more of our troops in Spain and Portugal than we have of German troops. Would it not, then, have been better to have kept our own men at home, and have left the Germans in their own country? What have we to show for all this loss? What have the ministers to tender the burthened country in lieu of all the money and life that has, in this war, been expended? Nothing; for, not only have we, thus far, at least, failed in all our attempts at keeping the French out of the Peninsula; but, if we fail in the end, as there is now reason to believe we shall, we shall have assisted the French in the subjugation of the country; because when the People of Spain see us driven out of the field, they will no longer entertain any hope from resistance, and, indeed, will not wish to resist.——It was, from the beginning, the opinion of thousands, amongst whom I was one, that, if we gave our aid to a *revolution* in Spain, we should succeed; but that, if we made war, and incited the Spaniards to make war, for *a choice of masters* for Spain, we should fail, and, in the nature of things, we must fail. ——How severely were these opinions reprobated by the partizans of the ministry! They had the charity to represent me as being "*truly instigated by the Devil.*" They asserted, in opposition to my opinions, that the People of Spain were *devoted* to their "*amiable* monarch," Ferdinand the Seventh; that it was for the interests of the world that no revolution should take place in Spain; that the people of England view the possibility of such revolution with horror: and they, at the same time, were so very candid as to assert, that I and those who thought with me, were *grieved to the soul* to see, that the people of Spain loved their monarch, and that Buonaparte would, at last, be beaten by the "*loyal* and *religious*." Their *hope* was, or, seemed to be, this: *that the Spaniards would repel Buonaparte's attacks, and finally beat him, and that they would afford (for the benefit of "regular government") an instance of a people*, UNDER A DESPOTIC GOVERNMENT, *having risen in defence of their country and succeeded in their object.* This was the hope of our political opponents. They were very anxious to have it in their power to say to us: "look, here are people, living under a *despotism*, who have been able and willing to defend their

country against France." Their motives for this were not easily mistaken; and, if the French had, no matter by what means, been driven out of Spain, we should never have heard the last of it: morning, noon, and night it would have been dinned in our ears, that people, *under despotic government*, had succeeded in defending their country against France, when the people of states, *comparatively free*, had made little or no resistance against her. The inference would have been too plain not to be perceived, and too useful, in the eyes of some persons, not to be applied. ——This hope, however, this *heart-chearing hope* of our political opponents, has, it seems, now vanished; for, if the Junta have decamped from Seville, there can be no doubt of the whole kingdom's being upon the eve of submission.——Thus, then, if the news be true, will soon have closed that famous war, of which MR. CANNING was the official originator, and thus will Englishmen know, and that, too, in the best possible way; by their *feelings* will they know, what it is to have an ANTI-JACOBIN minister. Aye, aye! we have not yet felt all that we had to feel from Anti Jacobinism. It is only now *beginning* to work upon us. To acknowledge the son as king, while the father was alive; to espouse the cause of that son in a war, carried on against his own published declaration; to send an embassador *near* his august person at Madrid, when it was notorious that the said august person was in France; to send a second army into the heart of Spain after the fate of the army of Sir John Moore; to send out embassador after embassador, with expence upon expence; to send out another new embassador just now, too, with all the enormous expence therefrom arising: to do these things, and a hundred others, of the same description, was reserved for the Anti-Jacobins, whom, for many years, a majority of the people of this infatuated country extolled as their protectors. But, we have, as yet, merely had a taste of what is to be endured, as the consequence of that infatuation.—— Amongst the minor consequences of the subjugation of Spain by Napoleon will be that of giving him the exclusive possession of all the *fine wools*, without which it is very well known, that *superfine* cloth cannot be made. No wool of this sort shall we, in future, have, *without his consent*; and, though he may find it sound policy to give that consent, still our supply, depending solely upon his will, must be precarious. As connected with this topic, I will just inform the reader, that, if MR. COCHRANE JOHNSTONE had been allowed to export Arms to Spain, upon his first arrival in England, early in December last, and if proper assistance had been afforded him, he would now have had, safe in England, the famous NEGRETTI FLOCK, *consisting of from fourteen to fifteen thousand sheep and lambs!* A full account of all the transactions, relating to these sheep, will hereafter be published. —— Well; but, after all, how stand the Wellesleys? How stands the question between them and Buonaparté? They have all been in Spain. They have *all* been employed against him. Well, brave and accomplished generals and statesmen, what have you done *with* him, or *to* him, or *against* him, or *about* him? Can you give us no account of him; and, shall we have you *all* home again, leaving him as he was before you went out? What! Douro and all! *All* come home again, and leave Buonaparté untouched; untouched, did I say; nay, *unseen* by any one of you?—— At any rate, whatever may become of the Junta, and whatever may be the result of the war in Spain, I shall always bear in mind, that, under the Junta, the *Liberty of the Press* was forbidden. That is a fact, which I shall never forget, and which I hope the whole nation will remember.

CORN AGAINST SUGAR.——These two articles of human sustenance, which had so severe a combat during the Sessions before the last, and in which combat the former besides many wounded champions, had its great leader, MR. ARTHUR YOUNG, killed by a *cleft stick*, dead upon the field, appear to have renewed their unnatural hostilities.——It will be remembered, that at the time alluded to, an act was passed, prohibiting, *throughout the united kingdom*, the use of grain in the *distilleries*, and, permitting sugars to be used therein. ——This was objected to by the "*Corn-*" "*Growers*," who said that it would make corn, and particularly *Barley*, so *low priced*, that they should be unable to pay their rents; and that, thus, agriculture would be discouraged.——On the other side, it was contended, that supposing the notions about the effect of *low prices* to be correct, still there would be no danger of that effects' proceeding from the proposed measure, so long as the government was left with full power to stop the operation of the act as soon as the prices of grain sunk

down to the point, which the "*Corn "Growers*" acknowledged to be *sufficiently high for the due encouragement of* agriculture.——There were many other arguments on both sides; the matter was fully discussed; reason prevailed; the act was passed, and has been in force ever since. It is, however, an act for a time limited, and now is the time for *renewing* it, for which renewal a bill is now before the House of Commons.——To this bill, it would seem, from the reports, given in the news-papers, that some opposition is intended, particularly on the part of some of the *Irish* members, and Mr. FOSTER, Sir JOHN NEWPORT, and MR. PARNELL, appear to be running a race of rivalship in this opposition.——Let us, therefore, look a little into the grounds of their opposition.——The objects of the bill, were, and still are, twofold: the 1st, to add to the quantity of corn in the kingdom, and thereby contribute towards keeping it at a *reasonable price*, and prevent the consequences of scarcity: the 2nd, to open *a new market for sugar*, and thereby afford relief to our fellow subjects, the West India Planters. Consequently, the propriety, or impropriety of passing the act, and of keeping it in force, must depend upon the *price of corn in the kingdom.*—— Well, then, now let us compare the prices of corn *when the bill was first passed* with the prices of corn *now*.

	THEN, *per quarter.*	NOW, *per quarter.*
Wheat - - -	80*s.* - - -	102*s.*
Barley - - -	38*s.* - - -	49*s.*
Oats - - - -	33*s.* - - -	32*s.*

There requires, I think, nothing more to show, that, if the act was proper in 1808, it must be proper to continue it in force now.—But, say the Irish members, though you have had a scanty harvest in England, we have had a plentiful one in Ireland, and, therefore, let not the act apply to that part of the *united* kingdom. In advancing such an argument, they might, surely, leave out the word *united;* for, to hear it, one would suppose that Ireland was completely *separated* from England, either by *nature*, or by some *legal prohibition*. Oh, no! These gentlemen, men of so much sense, never can think, that I, for instance, am such a fool as to believe, that, while the ports are open, corn can be dear in England and cheap in Ireland, scarce in the former country and abundant in the latter. They might just as well suppose me capable of believing, that the people of Hampshire could experience famine, while those of Wiltshire were living in the midst of plenty. *That* argument, therefore, is worth nothing.——Another is, that, owing to the wetness of the harvest, there is a great deal of corn, which cannot be used "as *human food*," which might be used in the distilleries. Now, I have always understood, that none but the very *best* grain is used in the distilleries. But, be this as it may, of one thing I am very sure, that (speaking of what sort of corn you please) in proportion as it is damaged, by wet or otherwise, it is less valuable for *every* purpose; for distilling as well as for eating; and, it is well known, that Barley, which has been much wet, is never used for *malting*, if other can possibly be got. The reason is, that it has lost part of its spirit; part of that, which in one way or another, would go to the forming of human sustenance. *Wheat* is not distilled; but, suppose it was. Take a bushel of grown wheat, and it will make just as much less *spirit* than a bushel of good wheat would make, as the former would make less than the latter of human food in the shape of *flour*. As to Barley, that which is unfit for malt and the distilleries, is, generally, consumed by *Hogs;* and, surely, they are not so *very nice* in their diet as to refuse to eat that which is fit for the still. Oats can hardly be called "*human food.*" This argument appears to me to have nothing at all in it; and, indeed, unless there be something more in the meaning of these gentlemen, than I have been able to pick out of the reports of their speeches in the news-papers, their opposition must be intended merely as a compliment in kind to their constituents.——But, I had, in imitation of these gentlemen, nearly forgotten to ask them, how they came to pass over the circumstance (however *trifling*) that we are now actually *importing corn from abroad;* nay, from *France*, where we have, by our importations, raised the price, since July last, from 27*s.* to 42*s.* a quarter, and where the corn, which we import, pays a *duty* of 12*s.* a quarter, which is so much English money paid into the coffers of Buonaparté! and, the Irish members overlooked this! Or, did they really, and do they really mean to say, that it is better to give this money to Buonaparté, than to suffer the distillation of sugars, because the latter may be hurtful to the interests, or, rather, the imaginary interests, of the corn growers of Ireland?

WM. COBBETT.

London, Feb. 16, 1810.

N. B. I was mistaken, last week, in confounding Mr. Villiers, Envoy to Portugal, with Mr. Villiers late Paymaster of Marines. They are different persons; and I avail myself of this first opportunity of correcting my error.

COBBETT'S

Parliamentary History

OF

ENGLAND,

Which in the compass of Sixteen Volumes, royal octavo, will contain a full and accurate Report of all the recorded Proceedings, and of all the Speeches in both Houses of Parliament, from the earliest times, to the Year 1803, when the publication of "Cobbett's Parliamentary Debates" commenced.

The numerous Subscribers to the above Work are respectfully informed, that the Sixth Volume, embracing the period from the Accession of Queen Anne, in 1702, to the Accession of King George the First, in 1714, will be published in March next.

MEXICO.

To the Cotton, Woollen, and Silk Manufacturers of the United Kingdom.

Gentlemen;—While I was at Mexico, last year, I conceived it to be a duty incumbent upon me, to endeavour to procure every sort of information which might be of service to the interest of my country. Amongst many other objects, I attended particularly to the state of the Cotton, Woollen, and Silk Manufactures there, and I have brought home with me patterns of most of them, with their prices. As I think that these patterns may be of very essential consequence to your interest, I take this opportunity to inform you, that if there be any amongst you, who wish to see them, I shall be at home every Tuesday and Friday from 10 o'clock in the morning until 1 o'clock in the forenoon, when I shall be happy to afford you every explanation in regard to them, and also relative to the exports and imports of Mexico. I am, Gentlemen, your obedient humble Servant,

A. Cochrane Johnstone.

No. 13, *Alsop's Buildings,*
New Road, 14*th Feb.* 1810.

The Hon. GEORGE VILLIERS and Mr. HUNT.

Sir;—In a former communication on Mr. George Villiers's delinquency, I stated a circumstance of Mr. Waters, his Deputy, having a contract from the Ordnance Office—(see page 126,) which I qualified as a transaction that appeared extremely suspicious on both sides; at that time I did not know, that a delinquency, similar to that in the Marine Pay Office, had actually taken place in the office of the Treasurer of the Ordnance; an event, which though it does not directly prove connection or complicity, certainly tends, from the coincidence of time, and similarity of circumstances, to create an additional suspicion, that the one was connected and influenced by the other; in whatever manner that influence had operated. On the discovery of the delinquency, Mr. Villiers *resigned*; on the discovery of the delinquency, Mr. Hunt, following the example in this, as in the malversation of the public money, *resigned;* and the Minister has appointed a successor. The Minister has informed the House of Commons, that the proper officers are investigating Mr. Hunt's accounts, that they will soon be made up, and the *deficit* known. He has not given any information respecting Mr. Villiers; but now that the discovery is made, we may suppose that no time will be lost in bringing down his account so as to ascertain the *deficit* to the time of his *resignation.*—That every effort will be made, by the one, and the other, to pay up their respective deficits, I make no doubt; and I will even admit that they may both be able to repay the whole, without any loss to the public, though I am far from thinking that that will be the case. But even then, a question still remains of much greater importance to the public, than the actual repayment of the money; and that is, the danger of example, if such glaring acts of delinquency are suffered to pass with impunity; and without being made the subject of a criminal prosecution.—This is not a light matter, in which Ministers may exercise a discretionary power as the guardians of the public purse. It does not end in itself.—It branches out into considerations of the deepest social interests; connected with the free and equal distribution of justice, which is the first and pre-eminent distinction of the British Constitution, from that of any other in

the known world. The question then is, Is this equality to be abandoned? Is there to be *one* dispensation of the law to the *rich*, and *another* to the *poor*? Certain I am that the utmost care ought to be taken to guard against the possibility of such an opinion being circulated among the lower classes of the people. It would, of all others, be the most dangerous; and most likely to indispose them to the constitution, which admitted of so grievous an abuse: they all know, that, if a man committed a theft, restitution of the property will not free him from a prosecution—that the person, who has been robbed, if he does not prosecute, is liable to be prosecuted himself for compromising a felony. And what must their opinions be of the laws, if they can hear of public men applying £200,000 and £280,000 of the money of the public to their own use, without being brought to any trial for so doing? While a poor man who had applied as many pence belonging to his neighbour, to his own use, would be liable to the utmost rigour of the law. Let no man imagine, that my disposition is cruel, or that I am insensible to the distress that the men alluded to may feel from the discovery, and the consequences of their delinquency; but I have superior feelings for the interests of the public; and I know there can be no safety for the public property, no security against misgeration, peculation, and fraud, if such enormous acts of delinquency are suffered to pass with impunity. The House of Commons evinced this to be their opinion in ordering Lord Melville to be prosecuted for a misdemeanor, though he did not then owe the public a farthing; and though an Act of Indemnity had been passed for the strongest article of the charge against him. Why was not a similar line of conduct observed in the case of Mr. Steele? where the delinquency was marked by many aggravating circumstances, and where the large sum, he had diverted to his own use, was not repaid till the malversation was discovered by his successor in office. That the omission at the time was highly culpable, and has been attended with most injurious consequences to the public, is now too evident. But that the blame may not indiscriminately be charged to ministers at large, it ought to be known, that it belongs, *exclusively*, to the Attorney General of the day, when the discovery was made, in the first place, and to every subsequent Attorney General since, though in a less degree; as that officer has the power, and it is an essential part of his duty, to prosecute offences against the public. If Mr. Steele had been prosecuted for the delinquency, is it likely that Mr. Villiers and Mr. Hunt would not have taken warning by the example? But on the contrary, when they found that detection produced no other inconvenience than the refunding the money; may we not fairly conclude that the prospect of profit, from trading with the public money, was too strong to be resisted, and that it will continue to produce the same effect on all men, who have public money in their hands, until the law be duly executed in such cases, in favor of the property of the public, as it would be in the case of the property of an individual?——At this time the delinquency of Mr. Villiers and Mr. Hunt, is each of much greater magnitude as to the sum, than that of Mr. Steele, but the case of Mr. Villiers particularly, except he has been guilty of signing false returns, is inferior in degree of criminality to that of Mr. Steele, as the latter acted against an express law passed to regulate his office, and Mr. Villiers was not under any such legal restraint. Until Mr. Steele be prosecuted, is it possible to bring Mr. Villiers to a trial? I think it is not; and that Mr. Villiers and Mr. Hunt must be both overlooked, and allowed to escape with impunity; for even as to recovering, I have little expectations on that point, as we have seen how that has been managed in other instances; for in the case of Mr. Fordyce's deficit, which occurred some 30 years ago, if I am not mistaken, there was, till very lately, a considerable balance still due.—I have heard a great deal of Mr. Baukes's Committee, but as far as I can judge of their proceedings, they appear to be dealers in small wares. I do not know that these recent instances of delinquency fall under their inquisitorial cognizance, and I hope they will not be offended at my expressing a wish, that they do not, like an ancient sect, strain at gnats and swallow camels; but if after being in labour two or three years, they have produced but one little mouse, it would be unreasonable to have any very great expectations of their future productions; and Mr. Steele, Mr. Villiers, and Mr. Hunt may probably be dead and buried before they can come down to their case; but however the House of Commons may chuse to delegate their

duties, in special instances, the constitution has not entrusted the interests of the public to any Committee, or left them without a proper guard; for in the cases before us, the Chancellor of the Exchequer is to look after the *property*, and the Attorney General is charged with prosecuting the delinquency. I only desire it to be understood that the deficit, and delinquency or misdemeanor, are different and distinct; that if the deficit were completely done away, the delinquency, which is the subject of a criminal prosecution, would still remain; and that if the Chancellor of the Exchequer and the Attorney General should appear remiss in performing their respective duties, the public will look to the House of Commons to interfere, and to call them to account for the dereliction of their duty.—I know there are many who make light of Mr. Hunt's delinquency compared with that of Mr. Villiers, looking only to the amount of the deficit, which is expected, in the one case and the other. But I cannot agree with this mode of reasoning, for I have already shewn, that though the loss to the public may be less, the criminality may, from many circumstances, be greater; and that the delinquency must be viewed separately, to enable us to form a correct judgment on the demerit of each case.—Objections have been made to the appointment of one of Lord Mulgrave's brothers as successor to Mr. Villiers, on the ground of incapacity.—But if sufficient security has been taken to guard the public against the consequences, that may arise from incapacity or malversation, I should not be for attending to the objections, though I think a question ought to be made, how far the Civil Office of Paymaster is compatible with the Military character of the General, and that the pay of the latter should be saved to the public, while he receives the salary of Paymaster: as in the case of Officers on half pay, which is stopt, on the receiving a civil employment under government. As to the question of security, I am of opinion, that if the pay be issued monthly, the security need not exceed that amount, provided the Commissioners of the Navy do their duty; and I again repeat what I observed in a former Number, that if those Commissioners had done their duty, so enormous a deficit never could have taken place in Mr. Villiers's account.

I am, &c. A. B.

PARLIAMENTARY REFORM.

At a MEETING of the Inhabitant Householders, ELECTORS of the City and Liberty of WESTMINSTER, held in New Palace-yard, the 9th day of February, 1810. ARTHUR MORRIS, Esq. High Bailiff, in the Chair. It was Resolved,

That in a Petition presented to the House of Commons, on the 6th day of May, 1793, and entered on its Journals, it was averred, and offered to be proved at the Bar, that 154 Individuals, (Peers and others) did, by their own Authority, appoint, or procure the return of 307 Members of that House (independent of those from Scotland), who were thus enabled to decide all Questions in the name of the whole People of Great Britain.

That in a Report presented to the said House during the last Session, it appears that a large portion of the Members thereof, are Placemen and Pensioners, dependent on the Crown.

That in a Petition presented to the said House, on the 9th day of December, 1790, and entered on its Journals, it was averred, that "Seats therein were as notoriously "rented and bought as standings for "Cattle in a Fair;" which assertion was then resented as "Scandalous and Libel-"lous:" But when, on the 11th day of May last, two of his Majesty's Ministers were accused of being concerned in the sale of a Seat, they were screened from punishment, on a plea of the extreme notoriety of the practice, which many of its Members unblushingly justified.

That to this defective state of the Representation, is to be attributed long, unfortunate, and destructive Wars: the immense Debt and Taxes with which the Country is burthened; and those pernicious Councils which have deprived our fellow Subjects, the Citizens of London, of their ancient and constitutional right of Petition to the King.

That by these corruptions, the People are deprived of their lawful share in the Government, by Representation in the Commons House of Parliament, which share has been usurped by an unlawful Oligarchy of Borough-mongers.

That a complete Reform in the Representation would destroy the corrupt influence of the Borough Faction, secure to the Crown its just prerogatives, and restore to the People those rights of which they are unlawfully deprived.

That when the principles of our Constitution shall be reduced to practice, the expences, disorders, and tumults attending Elections, will be avoided; the rights and liberties of the People secured; taxes lessened; the unequal and grievous imposition of the Property Tax removed; and future burthens prevented. Corruption will then be no longer necessary, much less avowed to be necessary, for the administration of public affairs.

That a Petition to his Majesty be now read: (which being done), It was Resolved, That this be the Petition; That the High Bailiff do sign this Petition; That our Representatives, the Hon. Lord Cochrane, and Sir Francis Burdett, bart. accompanied by the High Bailiff, be requested to deliver the same to his Majesty.

That a Petition to the House of Commons be now read; (which being done), It was Resolved, That this be the Petition; That the High Bailiff, and Twenty-five Inhabitant Householders, do sign this Petition; That it be delivered to our Representatives, the hon. Lord Cochrane, and Sir F. Burdett, bart. to be presented to the House. And they are hereby instructed to support the same.

That the Thanks of this Meeting be given to our worthy Representatives, the hon. Lord Cochrane, and Sir F. Burdett, bart. for their general conduct in Parliament.

That the Thanks of this Meeting be given to Sir F. Burdett, bart. for calling upon the House of Commons, during the last Session, to take into their consideration the State of the Representation, and for his able and constitutional Speech on that occasion.

That the Thanks of this Meeting be given to Arthur Morris, esq. High Bailiff, for the promptness with which he called this Meeting, and for his impartial conduct in the Chair.

(Signed) Arthur Morris,
High Bailiff.

The Petition to the King.

"We, your Majesty's dutiful and loyal Subjects, the Inhabitant Householders, Electors of the City and Liberty of Westminster, respectfully approach your Majesty's Throne, to declare our anxious solicitude for the Honour of your Crown and the Safety of your Dominions; and, notwithstanding the unconstitutional and odious barriers which, by evil minded Counsellors, have recently been placed between your Majesty and our fellow-subjects, the Citizens of London, we, bearing in mind that the same Acts of Parliament which, and which alone, made the Crown of England your Majesty's birth-right, declared, as having always existed, the right of Petition to be our birth-right. —We humbly state to your Majesty, that it is with the deepest affliction we have observed the rapid tendency of this our beloved Country to that state of things which prepare Nations for Foreign Subjugation, the cause of which, we humbly submit, is to be found in one of the Three Estates, of which the Government of these Realms is composed, having lost its Independence.—We will neither detail to your Majesty the proofs offered to be produced at the Bar of the House of Commons, on the 6th day of May, 1793; nor those of the generally received opinion of your Majesty's faithful and loyal Subjects, that a Majority of the Members are not returned to that House by the People, but are placed there by a corrupt Oligarchy of Borough-mongers: But with sorrow of heart we find ourselves compelled to declare to your Majesty our firm conviction that corruption has been established and avowed in that House, and our belief that to this cause ought to be attributed the unfortunate circumstances which have afflicted your People, and brought your Majesty's Dominions into such imminent peril, that to preserve them from subjugation by a Foe which England for ages despised, will, as your Majesty has been graciously pleased to tell us, "require the utmost efforts of vigilance, fortitude, and perseverance."—We humbly represent to your Majesty, that the evils we so feelingly deplore, have caused the destruction of almost all the Kingdoms and States on the Continent of Europe; the corruptions of their Governments, by alienating the affections of the People, having rendered them an easy conquest to the Armies of France — With unfeigned regret we state these lamentable circumstances to your Majesty; but we are not without hope, we have a resource in the Constitution of our Country, and need only recur to its Principles to be again the great and glorious Nation we were in former times: And we are fully convinced, that all our dangers may be averted, your Majesty's Throne secured, the Rights and Liberties of your People restored, and this Nation once more become the admiration of the World—simply, but only, by an efficient

Reform in the Commons House of Parliament. — We, therefore, humbly pray, that your Majesty will be pleased to adopt such measures, as in your Majesty's wisdom shall seem meet, for effecting a constitutional Reform in the Commons House of Parliament, and for securing to your People the reality and uses of Representation."

The Petition to the House of Commons.

"That in a Petition presented to your Honourable House by Charles Grey, Esq. (now Earl Grey) on Monday the 6th day of May, 1793, and which Petition was entered on the Journals of your Honourable House, it was averred, and offered to be proved,

"That the House of Commons did not "fully and fairly represent the People of "England.—That the Elective Franchise "was so partially and unequally distri- "buted, that a Majority of your Honour- "able House was elected by less than a "two hundreth part of the Male Popula- "lation.—That the right of voting was "regulated by no uniform or rational "Principle.—That Rutland," the smallest, "and Yorkshire," the largest County, "returned the same number of Repre- "sentatives.—That Cornwall," which, by the Census taken by order of Parliament, appears to contain a Population of 188,269, "returns as many Members to your "Honourable House as the Counties of "York, Rutland and Middlesex," which by the same Census, contain 1,693,377.— "And that Cornwall and Wilts," containing 373,376 persons, "send more Borough "Members to Parliament than Yorkshire, "Lancashire, Warwickshire, Middlesex, "Worcestershire, and Somersetshire, unit- "ed," which contain 2,971,250.—"That "70 of your Honourable Members are "returned by 35 Places, where the Elec- "tions are notoriously mere matters of "form.—That, in addition to the 70 so "chosen, 90 more of your Honourable "Members are elected by 46 Places, in "none of which the number of Electors "exceed 50.—That, in addition to the "160 so elected, 37 more of your Honour- "able Members are elected by 19 Places, "in none of which the number of Electors "exceed 100.—That, in addition to the "197 Honourable Members so chosen, "52 more are returned by 26 Places, in "none of which the number of Voters ex- "ceed 200.—That, in addition to the 249 "so elected, 20 more are returned for "Counties in Scotland by less than 100 "Electors each, and 10 for Counties in "Scotland by less than 250 each.—That, "in addition to the 279 so elected, 13 Dis- "tricts of Burghs in Scotland, not con- "taining 100 Voters each, and two Dis- "tricts of Burghs, not containing 125 each, "return 15 more of your Honourable "Members.—That in this manner 294 of "your Honourable Members are chosen, "which, being a decided Majority of the "entire House of Commons, are enabled "to decide all Questions in the name of "the whole People of Great Britain.— "That 84 Individuals do, by their own "immediate authority, send 157 of your "Honourable Members to Parliament.— "That, in addition to these 157 Honour- "able Members, 150 more, making in "the whole 307, are returned to your "Honourable House, not by the collective "voice of those whom they appear to "represent, but by the recommendation "of 70 powerful individuals, added to "the 84 before-mentioned, and making "the total number of Patrons altogether "only 154, who return a decided Ma- "jority of your Honourable House.— "That no less than 150 of your Honour- "able Members owe their Elections "entirely to the interference of Peers: "And that 40 Peers, in defiance of the "Resolutions of your Honourable House, "have possessed themselves of so many "Burgage Tenures, and obtained such an "absolute and uncontrouled command "in very many small Boroughs in the "Kingdom, as to be enabled, by their "own positive authority, to return 81 of "your Honourable Members.—That Seats "in your Honourable House are sought "for at a most extravagant and in- "creasing rate of expence.—That the "means taken by Candidates to obtain, "and by Electors to bestow, the honour "of a Seat in your Honourable House, "evidently appear to have been in- "creasing in a progressive degree of "Fraud and Corruption."

Your Petitioners are of opinion, that if the Representation of the People in your Honourable House had not been very defective and unequal, they should not now have to complain of the sad effects produced by several unfortunate and destructive Wars, or of the immense Debt and Taxes with which the Country is burthened. They lament, that your Honourable House have not thought fit to take the Petition, containing the above allegations,

into your serious consideration; the more so, as, since the time it was entered on the Journals of your Honourable House, the above causes cannot but have increased the number of corrupt Persons who barter for Seats. And it is with grief we state, that when a direct and distinct Charge was made in your Honourable House, on the 11th day of May last, against *Lord Castlereagh* and *Mr. Perceval*, Members thereof, and at the same time two of his Majesty's Ministers, of having sold a Seat therein, that your Honourable House refused to institute any Inquiry—we are therefore compelled to conclude, that the only alternative which is left our Country is a radical Reform in the Representation, or a final extinction of its Liberties.

We cannot conceal from your Honourable House our apprehensions, that the Prayer of this our Petition will not be attended to until it be too late; but your Petitioners will, in any event, have the satisfaction arising from a conscientious discharge of the Duty they owe their Country.—Your Petitioners most earnestly request, that your Honourable House will, at an early day, cause inquiry to be made into the present defective State of the Representation, and adopt such other means as shall prevent the choice of Representatives from being "committed "to select bodies of men, of such limited "numbers as render them an easy prey to "the artful, or a ready purchase to the "wealthy;" and to shorten the duration of Parliaments; and by removing the causes of that confusion, litigation, and expense, with which they are at this day conducted, to render frequent and new Elections, what our Ancestors at the Revolution asserted them to be, the means of a happy Union and good Agreement between the King and the People.

OFFICIAL PAPERS.

South America. — *La Paz**, *July* 16, 1809.—The inhabitants of this place, suspecting the Governor, Archbishop, and other persons in authority, of a design to transfer the sovereignty of these countries to the Princess of the Brazils, rose in a mass at half past six o'clock, and the bells of the cathedral being rung, the whole were speedily assembled in the grand square. Parties were detached to secure the military guards and centinels, the jail, the palace, and the magazines. All these operations were effected amidst general exclamations of "Long live King Ferdinand, our Religion, and our Country!" and without any other casualty than the wounding of a serjeant who offered some resistance, and the killing of a peasant, who was mistaken by the populace for a soldier. The portrait of Ferdinand VII. was stuck up at the entrance of the Town-hall. The Archbishop endeavoured to pacify the tumult; but the people ordered him to retire to his palace, to save himself from insult. The Cabildo, in consequence of the repeated demands of the people, assembled at one in the morning; and Don Gregoris Lanza, and Juan Bautista Catucora, being elected Deputies to intimate the wishes of their fellow-citizens, proposed, in their name, that the Archbishop and Governor Intendant should resign their functions; that the Officers of the Haciendu should put into the hands of the Cabildo one of the keys of the Casa Real, and that the Post-master Francisco Pazos should be succeeded by Pedro Cosco, and that Don Pedro Mutilla should provisionally be appointed Military Commandant in the place of Colonel Diego Fernandez Davila. All these propositions being acceded to, and guards being stationed at the most important points, the people quietly dispersed at three in the morning.—*July* 17. All the European and American inhabitants were assembled by proclamation, at three o'clock, and in the presence of the Cabildo and the bust of Ferdinand VII. took an oath to maintain the rights of their Sovereign, their Religion, and their Country.—*July* 18. This day the Cabildo, at the instance of the Deputies of the People, prohibited any person from leaving the city without a passport from the Commandant, and ordered the Governor to be separated from the Archbishop, at whose palace they had hitherto remained under guards. Two battalions of cavalry, of 500 men each, were enrolled. They consist of the most respectable Europeans and Americans.—*July* 19. This day the Cabildo, at the instance of the Deputies, ordered the officers of the Hacciendu to produce all the vouchers in their possession of revenue debts, for the purpose of their being cancelled and committed to the flames. They also resolved that the Indians should not pay the *alcavala* on

* La Paz is nearly 600 miles from the coast, in the interior of Peru, and is adjacent to the lake of Cucuito. In the neighbourhood is the lofty mountain Illimani, one of the links of a vast chain of elevations abounding in the precious metals.

bringing into market their provisions and manufactures, and that the duties on tobacco should be lowered. It was also determined that a battalion of Indians should be raised, under the title of Volunteers of the National Union.—*July* 20. The Cabildo, on the proposition of the Deputies, admitted as associates, eight persons nominated by the people. Two thousand dollars were drawn from the Casa Real, to be distributed among the poorer classes of the populace; but the latter, with one voice, rejected the largess, calling out that the money should be expended in casting cannon, or in paying the troops. Orders were issued for raising a battalion of 500 stout negroes; for increasing the total of our military establishment to the number of 10,000 men; for fortifying the heights of the city with 100 pieces of cannon, and for casting a quantity of flying artillery.—*July* 21. The people assembled, as usual, in the grand square, and the Deputies proposed to the Cabildo a new system of government, with the view of for ever preventing the return of that tyranny and injustice under which they have hitherto suffered. The consideration of this important subject was, however, at the request of the Cabildo, postponed for the present.—*July* 22. There was a general muster of the battalions in the presence of the Cabildo and Commandant; and orders were given for an official communication of the proceedings of the 16th to all the Governors of the kingdom.—*July* 29. All the vouchers of revenue debts were this day delivered up and burnt. A number of Caciques and Indian Chiefs waited upon the Cabildo, and assured them that they are ready to defend us with 200,000 warriors of their respective tribes.

The important facts communicated in the above, have led to the material change in the commercial policy of the government of Buenos Ayres, announced in the following extract of a letter:—

Buenos Ayres, Sept. 27, 1809.

I take the liberty to observe, that the necessities of this Government, not their good wishes towards Englishmen or strangers, are about to compel it to open their ports to foreign commerce. La Paz, the capital of the Audiencia of Los Charias, has deposed its President, and exiled the Archbishop, establishing a provisional government, at the head of which is the Royal Audencia, but governed by the popular voice, which is represented by the Cabildo, or City Council. The King's money, in consequence of the state of affairs, is not permitted to come to Buenos Ayres; and this, the principal source by which the Government has hitherto been supported, being completely done away, the Viceroy has proposed to open the ports to free commerce, as the only means by which an adequate revenue can be supplied to sustain his Government.

CONDITIONS OF COMMERCE.

All vessels must consign themselves to Spanish merchants.

The Consignee must present a manifest of cargo, in Spanish, to the Administration of the Custom House, twenty-four hours after arrival.

All goods are admitted (except those prohibited) and shall pay the circular duty, agreeable to the Tarif; and such goods as may not be in the Tarif, shall be valued at the prices of Europe.

Goods similar to those manufactured in the country shall pay a duty of 12½ per cent. over and above the circular duties.

Ox and cow-hides shall pay the war tax, on clearance, of 12½ per cent. As far as respects the patriotic duty, it shall be extinguished.

Vicunier wool, bark, sheep's wool, tallow, cocoa, and hair, at certain specified prices, to pay a duty of 20 per cent.

The exportation of either gold or silver is not allowed. All returns must be made in produce of the country, and to take away the same. Vessels may come in ballast, and may bring such goods as are permitted for the negro trade.

The Spanish Consignee must become bound for the duties, and to pay a fourth in fifteen days after having made the dispatch, and the remaining three-fourths in the three following months, that is, one-fourth in each month.

All vessels, friends and neutrals, shall be admitted, and must receive a Custom-house Officer on board, as is customary with other vessels, and shall deposit their papers in the Secretario del Governor's Office, until a visit is past for sailing. The Spanish Consignee shall not sell by retail on account of any foreigner.

The interdiction of wine, oil, vinegar, and *aquardente*, (spirits) except cara, [the rum of this place,] is prohibited.

LONDON:—Printed by T. C. HANSARD, Peterborough-Court, Fleet-Street
Published by R. BAGSHAW, Brydges-Street, Covent-Garden:—Sold also by J. BUDD, Pall-Mall.

COBBETT'S WEEKLY POLITICAL REGISTER.

VOL. XVII. No. 8.] LONDON, SATURDAY, FEBRUARY 24, 1810. [Price 1s.

"I have not judged it to be necessary to direct any Military Inquiry into the conduct of my Commanders by sea or land, in this conjoint service." KING'S ANSWER TO THE PETITION OF THE CITY OF LONDON, 20*th Dec.* 1809.

WALCHEREN INQUIRY.

MEDICAL DEPARTMENT.——It is hardly necessary to remind the reader, FIRST, that, when (on the 20th of December last) the City of London petitioned, in the most submissive manner, to cause an Inquiry to be made into the causes of our failure and losses in the late Expedition to Holland, the king was advised by his ministers to tell the suppliant Petitioners, that he, for his part, had *not judged it necessary to direct any such Inquiry to take place*, and that it would be for his parliament, in *their wisdom*, to ask for such information, or to take such measures upon the subject, as they should judge most conducive to the public good.—SECONDLY, that, when the parliament met, on the 23d of January, they were told, in the SPEECH (See p. 113 of this Volume,) that his Majesty had given directions *that such documents and papers should be laid before them as he trusted would afford satisfactory information upon the subject of the expedition.*—THIRDLY, that this intimation on the part of the ministers, that *they would lay before the parliament such documents and such only as they thought proper*, which was, in fact, the purport of this part of the Speech, did *not satisfy* the House of Commons.—FOURTHLY, that, on the 26th of January, LORD PORCHESTER, in a very eloquent speech, urged the necessity of an Inquiry in a Committee of the whole House, and, having concluded with a specific motion to that effect, his motion was *opposed by the ministers*, who still wished the House to be satisfied with the papers they intended to lay before them: but, that, upon a division, the ministers were defeated, and, accordingly, the House resolved to go into the Inquiry themselves.——These things are fresh in the reader's memory; and he has heard enough of the cause which has prevented the public from hearing, day by day; as in the case of Mrs. Clarke and the Duke of York, what has transpired as to the Inquiry.——The documents, laid before the House upon the subject, and also the minutes of the evidence, are printed by order of the House, and, as far, I suppose, as it has been practicable, they are published in the Daily news-papers; but, as this matter comes out in such masses, it is impossible for any daily paper to insert the *whole* of it, without excluding almost every thing else from its columns. Of course it is not in *my* power to insert, in the Register, a tenth part of this matter; the whole of which will, however, be inserted in the Parliamentary Debates.——But, there are particular parts, which I am (in the way of analysis, at least) able to lay before my readers, one of which parts is the Correspondence, the never-to-be forgotten correspondence, relating to the MEDICAL DEPARTMENT. This part of the subject is, of itself, a complete point. We here see the rise of the sickness amongst our unhappy countrymen; we hear their calls for medical aid; we see the measures taken at home, in consequence of that call; we see the space of time that elapsed between the date of the call, the date of the lamentable cries of the sick, and the date of the actual sending off of the medical aid that they called for; and, from a full and fair view of the whole, we are enabled to form a correct opinion of the character of that ministry, under whose sway the nation was at the time, and still is; we are enabled to judge in what degree, if in any, the nation has to ascribe its loss in valuable lives to them.——I shall do very little more than quote and analyse. Few remarks will be necessary; and, if the documents themselves were likely to find their way into the hands of my readers, I should think it wholly unnecessary to make even an analysis of their contents, which speak so plainly as to render it almost impossible that they should be misunderstood. I shall pursue the chronological order, as being the best calculated to show clearly the degree of *dispatch* which was used in sending off medical assistance to Walcheren.——The reader will keep his attention constantly fixed upon the *dates*; and, I can assure him, that, such is the manner, in which the

papers have been laid before the House of Commons, or, at least, in which they have been printed, that it is no easy matter to pick out and place in due order the several letters relating to any one subject. No *order* at all seems to have been followed; but masses of letters are thrown together, as if it had, in many cases, been done promiscuously.

On the *20th of August* Mr. JOHN WEBBE, Inspector of our hospitals at Walcheren, makes the first communication upon the subject of the sickness in the army. This he does in a Letter to the SURGEON GENERAL in England, whom he informs of the appearance of the fever, which has attacked from six to eight men in each regiment upon an average, and requests him, at the same time, to send back all the medical officers who have gone to England with the wounded, because their presence is urgently wanted in Walcheren. Mr. Webbe, under the same date, sends for the additional aid of 2 Physicians, 4 Surgeons, 1 Deputy Purveyor, and 12 Hospital Mates.

On the *27th of August*, MR. WEBBE writes again to the SURGEON GENERAL, informing him of the rapid progress of the sickness. He tells him, that the number of sick is very considerable; that it not only daily increases, but, from the information he has got respecting the season of the sickness, it must be expected to go on increasing; that foreseeing, as he did, that the army would be very sickly, he begged leave to amend his former application for additional aid, and, instead of 2 physicians to call for 4, and also for 20 hospital mates instead of 12.

On the *31st of August*, SIR EYRE COOTE, then having the command in the island of Walcheren, writes home to Lord Castlereagh, enclosing a letter from MR. WEBBE, *applying in the most urgent manner for medical assistance*; and, Sir E. Coote adds, from himself, that the sick of the army is *increasing daily to a most alarming degree.* ——The letter of MR. WEBBE to Sir E. Coote I will insert at full length, it being of great consequence that we should have before us the exact representation, which was *made to the ministry* of the state of our unfortunate countrymen, very soon after the breaking out of the disease. We shall, then, see what *they did;* how they bestirred themselves; what dispatch was used in consequence of the lamentable calls from Walcheren.

From Mr. Webbe to Sir E. Coote, dated Middleburgh, 31st Aug. 1809.

"Sir, I do myself the honour of repre-
"senting to you, that the divisions of the
"army, which are in South Beveland and
"in Walcheren, are becoming so extreme-
"ly sickly, and the medical officers both
"of the regiments and of the staff are suf-
"fering so severely from the effects of the
"climate, and the excessive duty they
"have to perform, that it is with the ut-
"most difficulty, that we can have the
"sick of this island properly attended to.
"A pressing requisition was sent from
"Flushing, yesterday, for medical aid, but
"it was not possible to comply with it.
"Surgeon Liddendale, who is stationed
"here, was instructed, however, to make
"such arrangements as will enable him
"to carry on the service for the present
"without injury to the men.——I have
"this moment received a positive order
"from the adjutant general, desiring that
"one physician, one staff surgeon, and one
"hospital mate, should be sent forthwith
"to South Beveland. It is with concern
"I am obliged to add, that I have but
"one medical officer (a staff surgeon)
"whom I can possibly spare from this
"place without leaving a portion of the
"sick unattended to.——Under these cir-
"cumstances of great and evident difficul-
"ty, and with the certainty of our wants
"increasing rapidly, and our means of
"meeting them diminishing by the sick-
"ness of medical officers, I beg to submit
"to your consideration *the absolute necessi-*
"*ty of sending express to England for medi-*
"*cal aid, and of applying that a fast sailing*
"*vessel should be appointed to bring out the*
"*assistance that is so urgently required.*"

Well, reader, now let us see what was done at home, in consequence of this pressing letter. Let us now see, what was done by the ministry, in answer to this call on the part of our dying countrymen. Let us see, whether the ministry, whose fiscal agents, whose inspectors of taxes are so alert; let us see, whether this ministry, who claim so much upon the score of vigour; let us see, whether the vigorous ministry did send off a *fast-sailing* vessel with medical aid.

On the *2nd of September*, at latest, SIR EYRE COOTE's letter to Lord Castlereagh was received in the famed Downing Street. Oh! *that Street!*—There, however, on the 2nd of September, at latest, the Letter of sir E. Coote, together with

the above-inserted letter of Mr. Webbe, must have been received; because, as we shall presently see, on that day, Lord Castlereagh wrote to the Commander in Chief (Sir David Dundas) in consequence of having received those letters.——The reader will not only carry the *dates* along in his mind, whereby to judge of the *dispatch* that was made use of; but, he will bear in mind the pressing language of Mr. Webbe. He will see, that a knowledge of the existence of the disease and of its increase was officially communicated to the Surgeon General in England on the *27th of August*; and that, in a very few days afterwards, *the ministry* were informed of the whole of the alarming circumstances. —— Well; now, what did Lord Castlereagh, the war-minister, do, when he heard that our poor fellows were dying in the swamps of Zealand; that the medical officers there were themselves suffering so much from sickness, that it was with the utmost difficulty that the sick could be properly attended to; when he heard that a pressing requisition for medical aid had been sent from Flushing to Middleburgh, which it was not possible to comply with; when he heard that the Adjutant General had given a positive order to Mr. Webbe to send to Beveland three medical officers, and that Mr. Webbe could by no means spare more than one; when he heard that the calamity was daily increasing and the means of meeting it daily diminishing by the sickness of medical officers; when he heard Mr. Webbe beseeching Sir E. Coote to send off *express* to England for medical aid, and to apply for a *fast sailing* vessel for the bringing of that aid; what, in this case, in this case of unparalleled urgency, what did Lord Castlereagh, one of the vigorous ministry; *what did he do?* Why, he wrote the following letter, the effects produced by which it will afterwards be our business to trace:

Copy of a Letter from Ld. Castlereagh to Sir D. Dundas, dated Downing Street, 2nd Sept. 1809.

"Sir;—I transmit to you herewith "Copies of a Letter I have received from "Lieut. General Sir Eyre Coote, and its "Inclosures, stating the want of additional Medical Assistance in the Island of "Walcheren; and I am to desire you will "take the *earliest Measures* for having the "Assistance required *sent without delay.*— "I am also to desire you will call upon "the Medical Board to consider the nature of the disease prevalent in Walcheren, and to forward the medicines in "sufficient quantities, which may be "deemed sufficient for the cure and counteraction of the disorder there prevalent.—You will also *be pleased to consider* whether *there are* any other comforts "necessary for the troops which can be "furnished from hence."

Well, what now? Why, on the *3rd of September*, Sir DAVID DUNDAS, does —... does what? Why he "commands" a person of the name of J. W. GORDON, his Secretary, most likely, to *do what?* Why, to *write* to another person of the name of FRANCIS MOORE, Esq. (who is, it would seem from other letters, a Deputy to the Secretary at War) *desiring* the said Francis Moore, Esq. to *move* "his Lordship" (meaning, apparently Lord L. Gower, then Secretary at War) to *order* the Medical Board to send the medical aid and stores required, and further to require that a report may be made to Sir D. Dundas of the names of the persons and of the extent of the stores to be sent.——This report one would certainly have expected the next day at farthest. Indeed, why should not the aid have gone off that very night? Why not have hastened some aid away, at any rate, to the "*fast-sailing* vessel," which poor Mr. Webbe was in expectation of seeing arrive upon the coast of Walcheren? Let the sequel answer this question.

On the *4th of September*, MR. MOORE makes a "*report*" to Mr. COLONEL GORDON, agreeably to the latter's request; but *what of?* Not a report of the names of the medical persons who *had gone off* for Walcheren and of the extent of the stores *sent* thither: no, no: this was not what Mr. Moore had to report upon. He had to report to Sir D. Dundas, that the Secretary at War had *received a letter* from the Physician General (Sir LUCAS PEPYS, of whom we shall see a great deal anon) upon the subject, a copy of which letter he enclosed to MR. GORDON, along with a copy of another letter from the Surgeon General, MR. KEATE.——Let us now see what these two gentlemen say. The latter, that is to say, Mr. Keate, says, under the date of the 2nd September: "I have the "honour to submit for the consideration "of the Commander in Chief and Secretary at War, the inclosed copies and "extracts of Letters, received from Mr. "Webbe, Inspector of Hospitals with the

" army under the command of the Earl " Chatham, calling for the addition of one " deputy inspector, four physicians, four " surgeons, one deputy purveyor, and 20 " hospital mates, besides stores, on which " latter subject I shall have the honour to " submit a separate letter.—I have *accord-* " *ingly* requested the inspector general to " select a *deputy inspector*, a *deputy purveyor*, " and *twenty hospital mates*. I have called " on the physician general for *four phy-* " *sicians*, and I have directed staff sur- " geons, RICE, SHORT, and POOLER, *imme-* " *diately* to hold themselves in *readiness* to " proceed as three of the staff surgeons. " I have been obliged to take these gen- " tlemen from the districts where they " are stationed, and I am under the neces- " sity of recommending the appointment " of a fourth; I accordingly beg leave to " recommend that surgeon William Tay- " lor, of the 10th Light Dragoons, may be " appointed a surgeon to the forces.— " Mr. Webbe has already requested, that " all the medical officers sent home with " sick and wounded, may be directed " to return immediately to their duty. " Three staff surgeons have been sent " home, Messrs. Bruce, Brown, and Inglis. " Mr. Bruce has since been appointed to " the royal military college at Marlow, " but his place may be considered as filled " by the late promotion of surgeon Hume " of the 79th regiment, now on service in " Holl -Messrs. Brown and Inglis are " *ready to return*, and I request to be in- " formed from *what port* and by what con- " veyance they, as well as the additional " staff now required, (provided the mea- " sure be approved of by the Commander " in Chief) can proceed to Walcheren."

The Physician General, SIR LUCAS PEPYS, writes thus to the Secretary at War, on the 4th of September, the same day that Mr. Moore's last-mentioned letter is written. " In the absence of my " colleagues, and in answer to the honour " of your letter of this day's date, I have " the honour to inform you, that *I have* " *directed two physicians to repair immediately* " *to Walcheren*, and to report themselves " to Mr. Webbe, inspector of hospitals " there. These, together with the return " of Dr. Wardell, and as many hospital " mates as can be procured, will be a con- " siderable additional medical aid, and " such is now principally required."

Well now, here we are arrived at the *4th of September*, and, notwithstanding all the pressing language of Sir E. Coote and Mr. Webbe, not a medical man is yet *gone off* to Walcheren. The Surgeon General has, indeed, we see, *requested* the Inspector General of Hospitals to get 22 hospital officers ready to go, and he has even *directed* three Staff Surgeons, *immediately* to . . . . . not to *go off*; no, not that; but *immediately* to . . . . to do what? Why, to *hold themselves in readiness!* Well, well; but, why cavil about words; mere words, if we find that these Surgeons and others do *actually go off* without delay? And, as to Sir LUCAS, he speaks to the purpose; he tells the Secretary at War what he *has done*: " I have," says he, " directed *two* " *physicians to repair immediately to Wal-* " *cheren*, and to report themselves to Mr. " Webbe, Inspector of Hospitals there." Here we have something *positive*. Here we see that something, at least, has been done, in the way of complying with the call, the pressing and piteous call of Sir E Coote and Mr. Webbe. Our minds are a little at ease. Mr. Webbe will soon see his "*fast-sailing* vessel" arrive. The sons of Esculapius are flying to his aid, borne upon the wings of Patriotism and Humanity, and blown forward by the vigorous breath of the ministry!——Now, then, reader, mark well the following two letters; and, as you read them, carry along with you the picture of distress, drawn by Sir E. Coote and Mr. Webbe. You will look back to Lord Castlereagh's letter to Sir D. Dundas, of the *2nd of September*, and observe, that, in *three days afterwards*, Dundas gives him the following Answer:

Letter from Sir D. Dundas to Ld. Castlereagh, dated Horse Guards, 5th Sept. 1809.

" My Lord, I have the honour to ac- " knowledge the receipt of your lord- " ship's letter of the 2nd instant, with its " inclosures, from lieut. general Sir Eyre " Coote, stating the want of additional " Medical assistance in the island of Wal- " cheren; and I am to acquaint your " lordship, that *two physicians* and *twenty* " other *medical officers* have been *ordered to* " *proceed to Deal* THIS NIGHT to embark " for that station.—The Medical Board " *have also been directed to forward the ne-* " *cessary medicines in sufficient quantities* by " the ship on board of which those officers " are to be conveyed to Walcheren.— " With regard to that part of your lord- " ship's letter, which suggests the pro- " priety of considering whether the *com-* " *forts* might not be forwarded from the

" troops from hence, I am of opinion that " it will *be advisable to await the report of* " *the general officer* who has commanded " on the station *before any decision can be* " *formed on the subject.*"

Very well, then: here we have reached the *5th of September*, and, though no medical aid is yet *gone off*, yet we now almost *see* it going, and that, too, in abundance; for here is the Commander in Chief of the forces, the successor of the Duke of York; here is he himself, telling Lord Castlereagh, in an official letter, that 2 Physicians and 20 other medical officers *have been ordered* to proceed to Deal and to embark for Walcheren.—— Under the same date we have a couple of letters, which are too curious not to be inserted. Mr. Webbe, poor man, had, as we have seen above, pressed Sir E. Coote to send *express* to England for medical assistance; and had urged the *absolute necessity* of a *fast sailing* vessel being applied for to convey that assistance to the point where it was wanted.——Well, Sir David having announced, that there were 2 physicians and 20 other medical officers ordered to proceed to Deal, to embark for Walcheren, Lord Castlereagh had, of course, prepared the means of conveying them. He had got the " *fast sailing* " vessel" ready, to be sure? Or, at least, he would get it ready the moment he heard, that the medical aid was ready to go. But, surely, the moment he called for the medical aid, he took care to have a vessel of *some sort* ready.——You shall now hear how this was.—On the *5th of September*, the same day that Sir David Dundas wrote to Lord Castlereagh, Sir David's Secretary, Mr. Colonel Gordon, wrote to a MR. ROBINSON (who, it seems, was a Secretary of Lord Castlereagh) as follows.——" Sir; I have it in command " from the Commander in Chief, to re- " quest you will be pleased to *move* Lord " Castlereagh to give immediate direc- " tions that *a conveyance may be provided* " to the island of Walcheren, (from Deal) " for *two physicians* and *twenty other medical* " *officers*, together with about four tons of " medical stores."—So that, it seems, that, even on the 5th of September, three days after Lord Castlereagh had received the pressing call of Sir Eyre Coote and Mr. Webbe, his lordship had to be *moved* to *give directions* for the *providing* of a conveyance for the medical aid! but, perhaps it was not necessary to move him? Perhaps he had before *moved of himself?* Perhaps, he had already provided the vessel, the " *fast sailing* vessel," though Mr. Gordon and Sir David Dundas appeared to think that he wanted to be moved thereunto.——No: indeed he had not; or, at least, if he had, the following letter, from his Secretary Mr. Robinson, of the 5th of September, to MR. ALEXANDER M'LEAY of the Transport Board, must have been perfectly useless.—— " Sir, I am directed by Lord Castlereagh " to request that you will *move* the Com- " missioners of Transports *to provide* the " necessary *tonnage* for the conveyance to " Walcheren, from Deal, for *two physicians* " and 20 *other medical officers*, together " with about four tons of medical stores." —So, here on the *5th of September* the day after the Physician General tells us that he has ordered 2 Physicians to repair immediately to Walcheren, we see Sir D. Dundas *moving* Lord Castlereagh and Lord Castlereagh *moving* the Transport Board *to provide*, that is to say, *to begin to get ready*, not a " *fast-sailing* vessel," as poor Mr. Webbe had expected, but " *ton-* " *nage*;" downright *tonnage*; tonnage for *2 physicians*, and 20 *other medical officers!* ——Well, well: never mind the phrase: let it be tonnage, if it will, and, as to the quickness in sailing, the difference would, probably, not be many hours. But, at any rate, the anxiously desired aid is now about to embark; the medical gentlemen are, on the 5th, at Deal, and it cannot be many hours before they reach their destination. Indeed we have, in the following letter from MR. R. KEATE, Inspector of Hospitals, to Mr. Moore, dated on this same 5th of September, a more detailed account of the principal medical officers ordered to Deal.——" In the absence " of the surgeon general, I consider it to " be my duty to state, in reference to " your letter of yesterday's date, No. " 11,456, and to your two letters of this " day's date, (same number), that two " physicians have been ordered to proceed " to Deal, viz. *Drs. M'Dougal* and *Faber*; " and that the two staff surgeons who re- " turned with sick from Walcheren to " Deal, viz Messrs. Brown and Inglis, " have been directed to report themselves " immediately to the port admiral there, " in order to their being furnished with a " passage to Walcheren.——Four other " staff surgeons, whose names are men- " tioned in the surgeon general's letter of " the 2nd instant, viz.—Messrs. *Pooler*, " *Rice*, *Short*, and *Taylor* (recommended

"from the 10th regiment of light dra-"goons), have also been directed to repair "to Deal, for the same purpose."—So that, after all, here they go off, on the *5th of September*; and, though Mr. Webbe was a little hasty, perhaps, in his expectations about a "*fast-sailing* vessel," a vessel, or "ton-"nage," at least, of some sort, is now ready for them, and they ready to step on board, seeing that they have, on the 5th of September, been, as Sir David Dundas himself says, "ordered to proceed to Deal *this* "*night*;" seeing, I say, that this is the case, they are, of course, ready to step on board the next day.—You shall hear how this was; for,

On the *9th of September*, four days later, four days after Sir David Dundas told Lord Castlereagh that 2 physicians and 20 other medical officers had been ordered to Deal, thence to embark for Walcheren, Mr. Robinson, Lord Castlereagh's Secretary, writes to Mr. Gordon, Sir D. Dundas's Secretary, thus: "I am directed by Lord "Castlereagh to transmit to you, for the "information of the Commander in Chief, "the inclosed letter from the Transport "Board; by which it appears that *no ap-*"*plication has been made by medical men go-*"*ing to Walcheren for a passage.*" The following is the letter of MR. M'LEAY, dated, "Transport-Office, 9th Sept. 1809. "—Sir; In return to your letter of the 5th "of this month, requiring a passage for "*two physicians* and *twenty other medical* "*officers* from Deal to Walcheren, I have "it in command to acquaint you that lieut. "Ross, the Board's Agent at Deal, has "this day stated, that *no application has* "*been made for a passage for medical men* "*going to Walcheren.*"——Here, then, we are come to the 9th of September, 12 days later than the date of Mr. Webbe's first letter, stating the increase of the disease and calling for medical assistance; 10 days later than the date of the letter of Sir E. Coote, covering the letter of Mr. Webbe, calling for an *express*, and a *fast-sailing* vessel; and 7 days later than the date of Lord Castlereagh's letter, acknowledging that he had received the pressing letters of Sir E. Coote and Mr. Webb.—— We must now go across to Sir E. Coote again, and hear what he says upon the subject of the medical aid, so anxiously looked for by him and his wretched army.

On the *14th of September*, 15 days after he had so pressingly applied for medical aid, he writes to Lord Castlereagh thus:— "It is with much regret that I have to re-"port to your lordship the indisposition of "Mr. Webbe, inspector of hospitals, who "was attacked yesterday with the Zealand "fever, and is now so ill, as to be unable "to attend to the arduous duties of his si-"tuation, which he has hitherto, under "many difficulties, filled with the greatest "zeal and ability.—Mr. Webbe's illness "makes it highly necessary that an in-"spector of hospitals, equally qualified "with himself, should forthwith be sent "to this Island. Of this necessity your "lordship will best judge by an inspec-"tion of the enclosed daily report of sick. "—On the 31st ult. I did myself the ho-"nour of enclosing to your lordship an "urgent application from Mr. Webbe, for "additional medical aid. On the 2d instant "your lordship was pleased to inform me "that the Medical Board should be in-"structed *to send out, without delay, the as-*"*sistance required*, and also a sufficient "quantity of medicines, such as might be "best suited to remedy and counteract "the disorder prevalent here.—I am now "concerned to acquaint your lordship, "*that, to this day, we have only received one* "*staff surgeon and three hospital mates, with-*"*out any additional supply of medicines,* "*hospital bedding, or comfort of any kind,* "*so imperiously called for, by the afflicting* "*number of our sick.*"—He adds a return shewing the number of his sick to be 8,315.—This letter speaks for itself. Where, then, were the 2 physicians and 20 other medical officers, who, on the *5th of September*, had been ordered to go off for Deal *that night*, in order to embark for Walcheren? Whither had they gone? What had become of the 2 physicians, Drs. M'DOUGAL and FABER, who were ordered to Deal?——Well; but let us go with Sir E. Coote. Let us hear from him how his army was treated, and how miserable was their situation.

On the *17th of September*, Sir E. Coote writes to Lord Castlereagh thus:—— "The force I then stated as necessary for "our security was 20,000 men; that left "in the island was about 16,000; of which "number 8,200 are now sick, leaving us "only 7,800 men for all defence. Our "loss by deaths has in the mean while "been very great, the casualties within "the last fortnight amounting to 498—I "can assure your lordship, without any "fear of exaggeration, as the following "statement will bear me out, *that the si-*"*tuation of the troops in this island is deplor-*"*able:* and *it grieves me to say, that none*

" *of the medical assistance* (one staff surgeon " and three hospital mates excepted), *or* " *any of the promised comforts, have yet ar-* " *rived.* On the contrary, our medical " corps is daily diminished, either from " sickness or from the necessity of send- " ing some of the hospital staff with sick " men to England. Some corps from " these causes *are now left with one assis-* " *tant surgeon.*—I am enabled to give your " lordship a most correct account of these " melancholy facts, as I have only this " day completed my inspection of the " general and regimental hospitals at the " several places named in the margin. I " therefore write with the fresh impression " on my mind *of the miserable situation of* " *the greater proportion of our sick,* not " through any fault of the medical gen- " tlemen, for I must do them the justice of " the most unwearied exertion and exem- " plary attention, but owing to the un- " avoidable want of accommodation exist- " ing in this country, and in our own re- " sources."——At this time, or, at least, in two days afterwards, the sick amounted to 8,851.——All this time, now *sixteen days* after the ministry received the press- ing applications of Sir E. Coote and Mr. Webbe; and *eleven days* after Sir D. Dun- das had officially informed Lord Castle- reagh that 2 *physicians and* 20 *other medical officers* had been ordered to repair to Wal- cheren; even at this time, only *one staff* surgeon and *three hospital mates,* four per- sons in all, and neither of them a *physician,* had arrived in the island; nor had any of the " *promised comforts*" been received.

On the *23rd of September,* we find the disease still go on increasing, and only *two additional hospital mates* arrived in the island. But, let us take the whole letter. It should be read and remembered by every man in England;——" It is with " deep concern that I find myself called " upon so shortly after my letter of the " 17th instant, again to address your lord- " ship upon the same afflicting subject, " the sickness of the troops.—The alarm- " ing progress hourly made by this fatal " disease, is such that if it should continue " in the same proportion for three weeks " longer, (and there is every probability " that it will) our possession of this island " must become very precarious, our chief " dependence will then be upon the navy, " and that during the winter months will " be extremely uncertain.—The English " newspapers will inform the enemy of " our perilous situation, exclusive of the " information which we cannot prevent " him from daily receiving from this " island, closely surrounded as it is by " his possessions, and filled with his par- " tizans; under these circumstances, it is " scarcely to be supposed that he will lose " so favourable an opportunity of attack- " ing Walcheren.—For your lordship's " information, I enclose the returns of the " sick for the last three days, from which " you will perceive the frightful increase " which has taken place between the 17th " and 22d instant; *the deaths, I am sorry to* " *add, are becoming daily more numerous.*— " The 23d regiment has suffered so much, " that I have found it necessary to send it " home. The 6th and the 81st are so " extremely sickly that they have been " struck off the list of duty. The 77th, " 84th, and some other corps, have almost " arrived at the same inefficient state; and " the enclosed copy of a letter from bri- " gadier general Montresor will give you " a melancholy account of the garrison of " Flushing.—At the representation of the " principal medical officers, I have deter- " mined on sending 2,000 sick, belonging " to regiments in the island, to England, " they are at present totally incapable of " duty, and must remain so for months to " come. It is therefore most desirable " that they should return home where " they will have a chance of recovering; " and their removal will afford us better ac- " commodation for the sick that remain.— " I trust your lordship will approve of this " measure, which in fact is one of neces- " sity, not of choice, as in some regiments " *we have scarcely a sufficiency of healthy men* " *to act as orderlies in their hospitals.—No* " *medical assistance* (two hospital mates " excepted) *has reached me since my last, in* " *the mean while the number of our medical* " *officers is decreasing by sickness. No com-* " *forts or wine for the sick have arrived,* the " consequences of which is, that we al- " ready begin to be in great distress for " port wine, although I have ordered the " commissary general to buy up, at an ex- " orbitant price, all that he could procure. " I am further concerned to state that we " shall be soon in want of bark, an ar- " ticle of such indispensible necessity in " the prevailing disorder; if it be the in- " tention to retain Walcheren, I would " strongly recommend the reinforcements " should be sent from England at the latter " end of October, or beginning of No- " vember, when the troops will not be so " liable to feel the effects of the endemic

"disease of this island."——The number of the sick, after all the deaths that had taken place, was now, on the *23d of September*, 9,836; and this number, as appears from the return, was daily increasing——Here, then, we see, that there had elapsed 22 days from the time that the ministers received intelligence from Sir E. Coote and Mr. Webbe, that immediate medical aid and additional medical stores were absolutely necessary to afford the army a chance of escaping dreadful mortality; and here we see, that, at the end of these 24 days, only *one Staff Surgeon* and *five hospital-mates* had arrived in the island, and that *no additional supply of medicines*, and *no comforts* for the sick had been received. Whither, then, again I ask; whither had gone the 2 *physicians* and the 20 *other medical officers*, who, as Sir D. Dundas informed Lord Castlereagh, had been actually ordered to go to Deal on the night of the *5th of September*?——Good God! Little could any one have imagined, that such things were going on, at the time when the whole nation was sunk in grief on account of the sufferings of our army in Walcheren. And, was no Inquiry necessary? Were the City of London to be snapped short by the ministers, because they petitioned the king for Inquiry? Had there been no Inquiry, what would the people of England ever have known of these transactions?——We hear eternally of this "great kingdom;" we are told of the difficulty of conducting "the affairs of a *great kingdom* like this;" the *greatness* of "this kingdom" is even urged as an apology for the *existence* and the *impunity of peculators*. What! and could not "this *great* kingdom" get a little medical aid to Walcheren in *the course of a month*?

Reader, whatever may be your feelings at viewing this fatal and unaccountable procrastination, and however eager you may be to get on to the point when relief shall be found to have reached our miserable countrymen, I must stop you for a moment, while we turn our eyes towards the CABINET; while we see what was, *at the very time of which we are now speaking*, passing behind that *curtain*, which Mr. Canning and Lord Castlereagh have since been so obliging as to draw aside.——You have seen, that it was on the *2nd of September* that Lord Castlereagh received from Sir E. Coote and Mr. Webbe their joint and urgent application for *medical aid* to an afflicted army, whose afflictions were daily increasing. Well: on that very day was it; that very *2d of September*, that Mr. Canning (See Pol. Register, Vol. XVI. p. 857) applied to the Duke of Portland to put the said Lord Castlereagh out of his place. It was just at this very time, that the intrigue began to thicken. While Lord Castlereagh was *moving* Sir David Dundas to *move* Lord Levison Gower to *move* the Army Medical Board to *move* medical officers to go to Walcheren, and while, by the way of recoil, the Army Medical Board was *moving* Lord Levison Gower to *move* Sir David Dundas to *move* Lord Castlereagh to *move* the Transport Board to provide tonnage for the said medical aid, Mr. Canning, as if acting upon the maxim of Bob something in the play, ("*keep moving*, DAD") was secretly *moving* the Duke of Portland to *move away* Lord Castlereagh, that Colleague of his, with whom he had been living, up to that very hour, upon terms of outward cordiality, to whose management he had consented to entrust the planning and fitting out of such an expedition as that to the Scheldt, and with whom, as the news-papers told us, he had actually gone to the sea-coast to witness the gay departure of that expedition.—— On the *7th of September* Mr. Canning says, that he declined attending the Cabinet. On the *8th of September* Lord Castlereagh *sent in his resignation*. On the *20th of September*, Mr. Canning tells us, that he received from Lord Castlereagh the letter that led to the *duel*, which took place in few days afterward. We find Lord Castlereagh, however, still in his office on the *10th* and so late as the *23rd of September*. ——So that, you see, while Sir E. Coote and Mr. Webbe were making applications for *medical aid*; while they were anxiously expecting this medical aid by a "*fast-sailing* vessel," the *ministers* were thinking of quite other matters, and that particular minister to whom they wrote, was thinking of shooting at another minister's head——This needs no comment. The man who wants any comment to guide his understanding, or to awaken his feelings, upon this subject, is too dull and insensible to merit a moment's attention. All that one needs to say, is: *such was the ministry, to whose care the treasure of the country and the lives of its soldiers* were committed.—Having taken this look into the Cabinet, we shall now, with less surprize as to its contents, proceed with the correspondence relative to the sick at Walcheren, and the means taken to alleviate their sufferings.

After the documents, which I have already inserted, or quoted, or of which I have stated the contents, I can find none that give any account of the time of the *arrival* of any further medical aid in Walcheren; but, there is one document, namely, a letter of the Physician General, which shows, that the *two physicians*, who, as Sir David Dundas told Lord Castlereagh, were ordered to Deal, and thence to Walcheren, on the *5th of September, had not left England on the 26th of September!* This same Physician General reported, on the *4th of September*, that he had directed two physicians *to repair to Walcheren;* and, on the *26th of September*, he reports to the same office (the War-Office) that those 2 physicians, are going off for Walcheren *that evening!*——Dr. Blane and two other physicians, were, at last, actually sent in the last days of the month of September; but, before we come to speak of their arrival in the island, and of the miserable state, in which they found the troops, it will be necessary to detail the causes, which led to the employment of Dr. Blane, who held no post in the medical department of the army, and who did in no shape belong to the public service; it will be necessary to detail the causes, which led to the employment of Dr. Blane, upon this occasion. Curious causes they are. They merit being treasured up in every Englishman's memory; for, let us hope, that the day will yet come, when to have been made acquainted with them will be of use.——At the time when Sir E. Coote was writing home in the manner that we have last seen, it appears, that the ministry began to think of sending out some medical person of high character to *ascertain the nature of the disease*. This thought came a little of the latest, indeed; but, so it was; such persons were to be sent; and, application was made, accordingly, by Sir D. Dundas to the Secretary at War, that application might be made by the latter to the ARMY MEDICAL DEPARTMENT; and, observe, that A PRINCIPAL OFFICER of *that department* was the person to go, and was to have 2 physicians under him. This appears to have been what is called a *pincher*. There are, it seems, *three* and only *three* Principal Officers of the Army Medical Department; the Physician General, Sir Lucas Pepys, the Surgeon General, Mr. T. Keate, and the Inspector General of Hospitals, Mr. F. Knight.——To these gentlemen, under the title of Principal Officers of the Army Medical Department, the Deputy Secretary of War, (having before given them an intimation of the matter) wrote on the 25th of September in the following terms.

"In reference to my letter of the 23d "instant, intimating that *a principal officer* "of the Army Medical Department, and "two able physicians, should *hold themselves* "*to proceed to Walcheren*, I am now di- "rected to desire that the said officers do "*repair forthwith to Deal*, and apply for a "passage to Walcheren to the naval offi- "cer commanding at Deal, who has re- "ceived instructions from government to "provide a proper conveyance accord- "ingly.—The medical officers in ques- "tion are to report themselves on their "arrival at Walcheren, to the general "officer commanding there, and under his "direction, *to examine further into the* "*causes of the malady prevalent in that island,* "and report their opinion thereupon."— This appears to have created great confusion in the camp of the Principal Officers of the Army Medical Department, every one of whom found out good reasons for his not going to Walcheren. Here shall follow their three letters to the Deputy Secretary at War; and, I would have them carefully preserved by every body who lays hands on them. These letters, and the like of them, must do good, if you will but give them time.——Before you enter upon the letters, recollect, reader, that the number of the poor creatures, suffering in Walcheren, was, at the time when these letters were written, upwards of *ten thousand*; bear that in mind; bear in mind also the emoluments of these men; and, with those things before you, I commit to you the perusal of these letters.—— The letters are all addressed to the Deputy Secretary at War, the first dated on the 25th, and the two others on the 26th of September.

Mr. Knight's Letter.

"Sir; The Principal Officers of the Army "Medical Department having met and de- "liberated on your letter, No. 14,301, "with its inclosure, referring to the se- "lection of one member for immediate "service in Walcheren, it is the opinion "of the Surgeon General, as well as of "myself, that the duties required are "purely medical, and as such *belong to* "*the province of the Physician General.* "—Sir Lucas Pepys will probably make "his own representation on this subject

"to the War Department, and name the "two able physicians who are to be se- "lected for the service stated in the said "letter.*

Mr. T. Keate's Letter.

"Sir; Your letter of yesterday's date, "together with that of the 23d instant, di- "recting "that a Principal Officer of the "Medical Department, and two able "physicians, should hold themselves in "readiness to proceed to Walcheren," "having been received at the Army Me- "dical Board; and the members of this "Board not having been able to deter- "mine among themselves which of them "ought to proceed to Walcheren, I beg "leave to represent individually, for the "consideration of the Commander in "Chief and Secretary at War, that as the "duty in question, viz. "to examine fur- "ther into the causes of the malady pre- "valent in that island, and report there- "on," is entirely medical, and unfit for a "surgeon by profession; I cannot but "consider *the Physician General as the only "proper member of the Board* to undertake "such a duty, and as being, therefore, the "principal officer who is more especially "pointed out for it in your letter. It is "not my desire to force any duty from "myself upon either of my colleagues; "and I have already stated to the Under "Secretary at War, in my letter of yester- "day, that I was ready to repair to Wal- "cheren, if my services should be thought "more useful there than here; but I can- "not help observing that my going thither "would create a great and serious inter- "ruption to the progress of those arduous "and complicated duties which have been "assigned to me in consequence of the "alledged inexperience of one of my "colleagues, and the total secession of "the other, of providing at home for the "due care and accommodation of the sick "of the armies of lord Chatham and lord "Wellington; and also, that I should be "thereby placed in immediate co-opera- "tion with inspectorial officers, in whose "nominations I have not been concerned, "nor even consulted."

* Mr. Knight wrote, on the 28th, a letter to say, that he was willing to go to Walcheren. But he was informed, that another person had been sent upon the service.

Sir Lucas Pepys's Letter.

"Sir; In consequence of the honour of "your letter of the 23d inst. the Principal "Officers of the Army Medical Depart- "ment met yesterday, and it was determin- "ed that the answer would be more satis- "factory if written by each separately. I "conceived that the person pointed out in "the letter was the *Inspector general of hospi- "tals*, whose duty it would be personally "to examine and give directions for their "conduct and management, and receive "the reports of the physicians on the sub- "ject of the disease, and I thought he "would naturally take the service on the "present emergency, as he had hitherto "taken no share of the trouble in either "the Southern or the Eastern districts; "whereas the Surgeon General and I had "both been employed, the one gene- "rally, and I especially, for the hospitals "of Harwich, Ipswich and Colchester; "to which places I intended again in the "course of a few days to propose that I "should make a second visit, as the Surgeon "General would probably again visit the "Southern district. The Inspector Gene- "ral being therefore *unemployed*, it was "to be supposed that the duty, which "is *properly his*, would on this occasion "be performed by him.—He does not, "however, offer himself for this service; "but if he had, I should have suggested "the propriety of adopting the recom- "mendation of his majesty's ministers *to "send Dr. Blanc to undertake the present "duty at Walcheren*, which he is *ready to "do*; a duty which he has often exe- "cuted with great ability, and his per- "formance of which is, in my opinion, "likely to be of the greatest use to the "service. *The Surgeon General strongly "unites with me in this opinion.* I re- "commend therefore that this plan be "adopted, that Dr. Blane should be ap- "pointed for this special service, and be "empowered to take to his assistance any "army physician now in Walcheren, or "Dr. M'Dougle or Dr. Faber, who both "go by the packet to-morrow. By this "means the business will be effectually "done, the Surgeon General and I *be able "to attend to the concerns* AT HOME of "that army as they arrive and require as- "sistance. I could not indeed *be spared* "at present, as I see *such a number of sick "officers*, whose applications for leave of "absence on account of ill health neces- "sarily come before me, and also, if I was

" not present *to examine medically the mates* " *who must be sent over in numbers to Wal-* " *cheren, that part of the service must stand* " *still.*"

Here are several excellent reasons, but all upon *public* grounds; Sir Lucas declines going abroad, but only because his going would be *injurious to the service at home;* and, as neither of his colleagues seemed to like the trip any better than he did, he was, we see, so kind as to recommend another person (to be *paid by the public*) to go in the stead of himself or either of his colleagues.——This, however, does not appear to have been quite satisfactory to the Secretary at War and the Commander in Chief, the former of whom, by his Deputy, wrote again to the Army Medical Department, the next day, that is, on the 27th of September, telling them, that the Physician General was the proper person to go to Walcheren, and that he was accordingly to set off immediately. Sir Lucas, however, thanking him as much as if he had went, still declined the honourable preference, which all parties seemed disposed to give him, and, in this second letter, dated on the 27th of September, gave some *new*, and, as the reader will see, very cogent reasons indeed, why he ought not to go. Here they are, and they will, I think, be remembered for some time to come.

Sir Lucas Pepys' 2nd Letter.

" Sir; I have just received the honour " of your letter of this day's date, and am " much concerned to find that the Secre- " tary at War and Commander in Chief " have conceived it possible that a man of " near seventy years of age, with infirmi- " ties, should be capable of undertaking " such a duty as must require proper age " and proper health, as well as knowledge " to perform it.—*I hereby, solemnly declare* " *myself incapable of performing it*, and la- " ment that my letter of yesterday was not satisfactory, without being urged to " this declaration.—If it is the object of " his Majesty's ministers that the business " in question should be *well performed*, I " request that Dr. Blane may go as *my* " *substitute*, and be considered on this spe- " cial service as having power to controul " the whole Medical Department at Wal- " cheren.—They will see the business then " well performed, and the service bene- " fited; whereas *if I was able to go*, who " *know nothing of the investigation of camp* " *and contagious diseases*, it would be merely " *pro formâ*, and *no possible good could arise* " *from it.* — To Dr. Blane's assistance I " should recommend Dr. Lemperiere, from " the depôt of the Isle of Wight. These " two are the best qualified for such a " peculiar service."

There needs, surely, to be very little said upon this letter. It is the frankest declaration that I ever heard of; but, one wonders that it could be made, unaccompanied with a declaration, that the writer wished no longer to receive the *salary*, attached to the office. That is all. The excuses of *age* and *infirmities* seem incompatible with the holding of the office; but, what shall we say of the avowal, that the writer " *knows nothing* of the investigation " of *camp* and *contagious* diseases?" What can we say, but congratulate ourselves upon the happiness of our army in having a Physician General to superintend its health, who knows nothing of the investigation of diseases *incident to camps*. Sir Lucas, in his first letter, stated, as one of the reasons why he should not be sent to Walcheren, that, " if he was not present to " *examine medically* the mates, who must " be sent over, in numbers, to Walcheren, " that part of the service must stand still;" but, if he " knew nothing of the investi- " gation of *camp* and *contagious* diseases," may it not be doubted, whether he was likely to be a very good judge of the fitness, or unfitness, of persons to be sent over to Walcheren to treat those diseases? ——Well, but what reply did this letter of Sir Lucas bring from the Ministers? How did they, who were entrusted with the management of the nation's concerns, with the care of its money and the lives of its soldiers; how did they relish being told by the Physician General, that they should not only not send him, but that they should, for *this especial service*, appoint another person, nominated by him, to be, in this particular case, *his substitute?* Why, they told him that they would *dispense* with his services at Walcheren. That is all! And, accordingly, Moore, the Deputy Secretary at War, wrote to him, on the 28th of September, thus: " Sir; I am directed " to acquaint you, that under the circum- " stances stated by you in your letter of " yesterday's date, the Commander in " Chief and Secretary at War are of opi- " nion, *that your services at Walcheren may* " *be dispensed with;* a communication to " this effect will be made to the principal " officers of the Army Medical Depart- " ment."——That's all! Nor need there

be one word said upon the matter. The thing speaks for itself. Not a word of it, however, should we ever have heard, had it not been for that Inquiry, which was moved for by LORD PORCHESTER, which was opposed by the Ministry, but in which the House of Commons is now engaged. We have here obtained a specimen of how affairs are conducted. It is for the public to reflect well upon it; to consider what must, in the end, be the inevitable consequence of conducting affairs in such a manner.

While this medical squabble was going on at home, the mortal enemy, disease, was not idle in Walcheren. There our unfortunate countrymen were dying by hundreds and lying sick by thousands.

—DR. BLANE and his associates arrived in the island on the last day of September, when there was between nine and ten thousand sick; and, such, to the very last, was the scarcity of *medical aid*, that, even after Sir E. Coote came home, and so late as the 7th of November, GENERAL DON, who had succeeded Sir E. Coote, writes thus to Colonel Torrens, Secretary, I suppose, to Sir David Dundas. "Sir, I beg "leave to represent, for the Commander "in Chief's consideration, that from the "number of vacancies and absentees in "the Regimental Medical Officers of this "Army, the Hospital Mates have been "unavoidably appointed to do duty with "corps, and, in consequence, a con-"siderable deficiency in that rank of the "Medical Department has been occasioned. "—In the two last embarkations of sick, "*several Transports proceeded without a* "*Medical Officer*; and for the embarkation "that is now about to take place, there is "*not a single Medical Officer of that Rank* "*disposable*, and that can be appointed to "accompany the sick.—I beg, therefore, "to submit, that 15 Hospital Mates may "be sent for the duties in this Island." Thus, then, this cry for *medical aid*, which was first made by Mr. Webbe, on the *27th of August*, was still kept up on the *7th of November*.——Why the army was not *sooner withdrawn* is a separate question, and a question, which, I think, will not be long in deciding; but, at any rate, if the army was to remain so long in the island, surely medical assistance enough, and even in abundance, ought to have been sent.——I shall conclude this article with a statement, shewing the cost, in lives, of this Expedition to the Scheldt, of this Walcheren Expedition, of this grand effort of a vigorous ministry.

	Officers.	*Men.*
There were embarked on the Expedition, and, of course, all in good health	1,738	37,481
There were *killed* - - - - -	7	99
Died abroad - - - - - - -	40	2,041
Died since sent home - - -	20	1,850
Total *Died* - -	60	3,891
Sick on the 1st day of this month of February - - -	217	11,296

This is a return, signed by "Harry Calvert," and laid before the House of Commons, since the commencement of the Inquiry.——There, are besides, 84 *deserted*; *deserted* in such a place as Walcheren and Beveland! Nearly a hundred men, too, *deserted* in such a place! These, together with 25 discharged, from being, of course, unfit for further service, the total cost in officers and men, is 67 of the former, and 4,108 of the latter. *Disease* had, even according to this return, killed 3,951, of all descriptions, on the *first day of this month*, when there were 11,513 still sick: *Eleven thousand five hundred and thirteen*, still sick on the first day of this month of February. How many of these unfortunate men will die with this disease, we cannot yet tell; nor how many, though they may not now die, will never recover; but, I should observe, that from the 29th Regiment no return had been received by "Harry Calvert," so that, in the above statement, we have not *all* the *deaths* nor all the *sick*.—— Such, in *life* and *health*, has been the cost of the Grand Expedition, to doubt of the *wisdom* of which, at the time when it was going forth, was sure to expose one to the foulest of imputations; nor was it a much smaller crime to call for Inquiry into the conducting of it after it had failed.

LORD CHATHAM'S NARRATIVE.

This precious document, for which we are certainly indebted to the Inquiry now going on in the House of Commons, is *a whole* of itself. It is a sort of *sequel* to his Lordship's Dispatches, written before he came home. I will, therefore, insert it here, just as it stands in all the newspapers, and just as it was delivered to the House; and, when I have so done, I will offer such observations upon it as appear

to me likely to be useful; or, at least, as will shew what is the light, in which its contents appear to me. But, I must beg leave to stipulate with the reader, that he go over the Narrative again; for (speaking from experience) I am pretty sure, that it is not to be understood at once reading. It is a very important document, and should be read with the greatest attention.

"COPY *of the Earl of* CHATHAM'S STATEMENT *of his* PROCEEDINGS, *dated 15th October,* 1809.—*Presented to the King, 14 Feb.* 1810.

"In submitting to your Majesty a statement of my proceedings in the execution of the service your Majesty was graciously pleased to confide to me, and of the events which occurred in the course of it, it is not my intention to trouble your Majesty with any further details of the earlier parts of our operations, which having terminated in the speedy reduction of Walcheren by your Majesty's troops, and the occupation of the adjacent Islands, and of the important post of Batz, received at the time your Majesty's most gracious approbation; but to confine myself principally in the narrative, which I am anxious to be permitted to bring under your Majesty's view, to the consideration of the two following points, as most immediately applying to the conduct and final result of the Expedition to the Scheldt. 1st. The ground upon which, after the army was at length assembled near Batz, a landing in prosecution of the ulterior objects of the Expedition was not deemed advisable: 2dly. Why that army was not sooner there assembled, in readiness to commence further operations.

"With respect to the former proposition, I am inclined to think that it is so clear and evident, that no further operations could at that time, and in the then sickly state of the army, have been undertaken with any prospect of success, that it would be unnecessarily trespassing on your Majesty to enter into much more detail on this point than has been already brought before your Majesty, in my dispatch of the 29th of August; and the chief object of this paper will be directed to shew to your Majesty, that the second point, namely, why the army was not brought up sooner to the destination from whence its ulterior operations were to commence, is purely a naval consideration, and that the delay did in no shape rest with me, or depend upon any arrangements in which the army was concerned; every facility, on the contrary, having been afforded by their movements to the speedy progress of the armament.

"In doing this, it will, I conceive, be necessary, for the sake of perspicuity, that I should take up the consideration of this business from its commencement.

"Your Majesty will permit me here to recal to your recollection the change which took place in the original project formed for the attack of Antwerp, and of the French fleet in the West Scheldt, in consequence of the opinions of the General and Staff Officers to whom this question was referred; and a combined operation of the army and navy, the whole, with the exception of the force to be left for the reduction of Walcheren, to proceed up the West Scheldt, was accordingly determined on.

"Upon the practicability of such an operation being at once carried into execution, which was, however, the groundwork of the Expedition, and which alone, in the opinion of all persons consulted, seemed to afford any prospect of success, even in the *most sanguine* view of the subject in all other respects, *I must confess I entertained great doubts,* till the communication of a distinct official opinion, given on this point *by the Lords of the Admiralty, decided in the affirmative this important question.*

"At the same time it is to be remarked, that the occupation of Walcheren, which by some persons it had been thought possible to leave behind us, and the reduction of Flushing, which it had once been proposed only to mask, were deemed indispensable to the security of the fleet, in case of disaster; and accordingly a considerable separate force was allotted to this service; and, in this view, it was besides distinctly agreed upon, that a vigorous attack by the navy upon the sea front should be made at the same time that the troops, after effecting their landing, advanced to invest Flushing; it being hoped that by a powerful co-operation from the sea, at the moment the troops presented themselves before the place, the labour and delay of a regular siege might have been avoided, and a considerable portion of the force allotted to this service set at liberty to follow the army up the Scheldt. How far this expectation was fulfilled, or whether the assurance given that the whole of

the armament (the part to be landed at Walcheren excepted) should be at once transported up the Scheldt, in prosecution of the ultimate objects of the Expedition, was carried into effect, or was wholly disappointed, the information already before your Majesty will have in a great measure shewn, and which it will be my duty to bring more particularly under your Majesty's view, when I detail the subsequent course of our proceedings.

"From what cause this failure ensued—whether it arose from *insufficient arrangements on the part of the Admiral*, or was the unavoidable result of difficulties *inherent in the nature of the Expedition itself*, it is not for me, considering it entirely as *a naval* question, to presume to offer *any opinion* upon to your Majesty.

"It may, however, be here proper to remark, that, in all the projects which have at various times been brought forward on the subject of an attack upon the Island of Walcheren and the Scheldt, the necessity of having a wind a good deal to the Westward, with moderate weather, has always been insisted on. Without these advantages, in the one case, the passage would be difficult; in the other, the surf would prevent a landing on the points deemed most favourable in other respects. In the present instance, owing to the wind blowing strong from the westward, the surf was actually such as to prevent a landing on either of the points first fixed on for that purpose by the Admiral; and the situation of the gun-boats and transports at anchor in the Stone Deep becoming very critical, and the gale increasing, he found it necessary to carry such part of the fleet as was arrived for safety into the Roompot, and by which means the division of the army destined for the attack of Walcheren was enabled to effect its landing from a more sheltered anchorage on the Bree Sand to the westward of Fort den Haak. At this time, the division under Lieutenant-General Lord Rosslyn, as well as that under Lieutenant General Grosvenor, also the cavalry, artillery, &c. were not arrived; but they were afterwards, on their making the island, ordered by the Admiral into the Veer Gat. It is, however, particularly deserving of attention, that this measure, though in itself one of great advantage, as far as it applied to the division destined for the attack of Walcheren, by placing the transports, storeships, and small craft, in security, was, if carried further, certainly not a little at variance with the leading purpose of the Expedition, namely, the running with the right wing, and the advance of the army at once up the West Scheldt, at the same moment that the attack upon Walcheren was proceeding. *But that even this need have delayed it for more than three or four days, unless on account of naval difficulties, which it will be for the Admiral, not for me, to explain, I deny;* for as soon as Ter Veere and the Fort of Rammekins fell, which happened on the 3rd of August, the passage of the Sloe was open to the transports and gun vessels; or they might have entered by the Durloo or by the Zoutland passages, the batteries of Dyshook, of Vygeeter, and the Nolle, having been all carried by the army early on the 1st of August; and on the same day the battery of Borslen at the south-west end of South Beveland was abandoned on the movement of a detachment from the corps under Sir John Hope; and *I know of nothing* (but this, of course, is a point *for the Admiral to speak to)* to have *prevented the line of battle ships and frigates from coming in and passing up above Flushing, in the first instance, according to the plan originally decided upon.*

"Before, however, I pursue further the details of the proceedings of the army, governed as they necessarily were (until a footing should be gained on the Continent) by the movements of the navy, I must for a moment refer to two separate operations; the one under Lieutenant General Lord Huntley and Commodore Owen, and the other under Lieutenant General Sir John Hope and Rear-Admiral Sir Richard Keats; but both directed to assist and ensure a rapid progress up the Scheldt, had the Admiral found it practicable in other respects. With respect to the former, which was destined to destroy the Cadsand batteries, and particularly that of Breskens, had it been carried at once into effect, and that the Admiral could have availed himself of it, to take the ships up the West Scheldt by the Weeling Passage, it would have been of the utmost advantage; but it was certainly rather fortunate it did not take place at a later period, as after all the transports, storeships, &c. were ordered into the Veere Gat, and the plan of running at once up the West Scheldt by the Weeling Channel seemed abandoned, the object of destroying the Cadsand batteries ceased, and a landing there would only have been an unnecessary risk, and a very inconvenient separation of our force, and, of course, occasion great delay in collecting

it for ulterior operations. It must not however be forgotten, that the difficulties here turned out to be much greater than had been at all foreseen before we sailed. In the first place, the beach was so exposed, that in blowing weather it was found impossible to land; and, *from what cause I know not, the Marquis of Huntley's division could not be taken up, in the first instance, high enough to attack the Breskens Battery, the only one, from its situation, of much importance.* In addition to this, the enemy, who had been represented by all the intelligence communicated to me to be very weak, almost actually without troops in that quarter, appeared to be well prepared, and in considerable force. Under these circumstances, according to Lord Huntley's Report, Commodore Owen appears to have *experienced great disappointment in not having the support of Lord Gardner's fleet and of his boats; but his Lordship, as I believe, could never enter the Weeling Channel at all; nor indeed was I ever acquainted with what instructions were given to him on this head.*

"When it was found that Lord Huntley's division could neither land nor proceed by the Weeling Passage up the Scheldt, as I had intended they should, it was determined to withdraw them; but from the boisterous state of the weather, it was some days before this could be effected. As soon as it was accomplished, they were passed over to South Beveland.

"With respect to Sir John Hope's operation, it was more prosperous. The object of it was this:—In the original arrangement for carrying the army at once up the West Scheldt, Sir John Hope's division was included; but just before we sailed, the Admiral received intelligence that the French fleet was come down abreast of Flushing, and seemed to threaten to oppose our passage up the Scheldt.

"In this view, it was conceived that, by a landing on the north side of South Beveland, the island might be possessed, and all the batteries taken in reverse, and thereby the position of the French fleet, if they ventured to remain near Flushing, would be, as it were, turned, and their retreat rendered more difficult, while the attack on them by our ships would have been much facilitated: and for this object, the division of Sir John Hope rather preceded, in sailing from the Downs, the rest of the fleet.

"The navigation of the East Scheldt was found most difficult; but by the skill and perseverance of Sir Richard Keats this purpose was happily and early accomplished, though the troops were carried a great way in schuyts and boats; and this division was landed near Ter-Goes, from whence they swept all the batteries in the island that could impede the progress of our ships up the West Scheldt, and possessed themselves on the 2d of August of the important post of Batz, *to which it had been promised the army should at once have been brought up.*

"Sir John Hope remained in possession of this post, though not without being twice attacked by the enemy's flotilla, for nine days before any of the gun-boats under Captain Sir Home Popham were moved up the Scheldt to his support.

"But it will be recollected, that both these operations tended directly to forward the original purpose of a rapid progress up the Scheldt: the former by opening the Cadsand Channel, could the landing of Lord Huntley's division have been effected; the second, by covering the progress of our fleet along the coast of South Beveland; while the division under Sir John Hope was at the same time so far advanced towards the destination at which the rest of the armament was to be assembled.

"It will now only be necessary for me to bring before your Majesty the dates at which the several parts of the armament were enabled, according to the arrangement of Sir Richard Strachan, to pursue their progress up the Scheldt. In this place, however, it may be proper that I should previously advert to the grounds on which the 3d division under Lieutenant-General Grosvenor, as well as the two light battalions of the King's German Legion, (composing part of the force destined in the first instance to proceed against Antwerp) were landed at Walcheren, and employed before Flushing.

"Your Majesty will be pleased to recollect, that the troops which sailed from Portsmouth under Lieutenant-General Sir Eyre Coote were destined for the service of Walcheren, and had been considered as sufficient for that object, according to the intelligence received, and the supposed strength of the enemy; though at the same time, certainly relying, for the first efforts against Flushing, on the *promised co-operation of the Navy*, and on their establishing, *as was held out*, in the first instance, a naval blockade, except on the side of Veer and Rammekins. Unfortunately, however, *this did not take place*, and for several

nights after the army was before Flushing, *the enemy succeeded in throwing from the opposite coast, probably from the canal of Ghent, considerable reinforcements into the place, which enabled him constantly to annoy our outposts and working parties, and finally to attempt a sally in force, though, happily from the valour of your Majesty's troops, without success.* This proving very harrassing, particularly from the great difficulty of communication between the several parts of our line, I determined, in order to relieve the troops and press forward the siege with as much vigour as possible, to avail myself for the time of the services of these corps; but it is to be remembered, that this was *only done because I saw no movement making to push forward a single vessel up the West Scheldt;* and it therefore seemed more advisable to have their assistance before Flushing, than that they should lie inactive in the Veer Gat; and they might at any time be re-embarked from Rammekins in a few hours, whenever their transports could be brought up from Veer, and there was the least chance of our proceeding to our ulterior destination.

"I have already stated that Rammekins surrendered on the evening of the 3d of August.

"Immediately upon this event, feeling, as I did, great uneasiness at the delay which had already taken place, and at the *departure from the original plan,* I wrote a letter to the Admiral, then at Ter Veer, expressing my hope, that the ships would now be able to enter the West Scheldt by the Sloe Passage, and that no time should be lost in pressing forward as speedily as possible our further operations; and I requested, at the same time, that he would communicate to me the extent of naval co-operation he could afford, as well for the future blockade of Flushing, as with a view to protecting the coasts of South Beveland, and watching the passages from the Meuse to the East Scheldt, as this consideration would govern very much the extent of force I must leave in South Beveland, when the army advanced. To this letter he *did not reply fully till the 8th of August;* but I had a note from him *on the 5th,* assuring me the transports should be brought forward without delay; and I had also a very long conversation with him on the morning of the 6th, on the arrangements to be taken for our further operations, when I urged, in the strongest manner, the necessity of not losing a moment in bringing up the cavalry and ordnance ships, transports, store-ships, victuallers, &c. in order that the armament might proceed without delay to its destination; and I added my hopes, that they would receive the protection of the ships of war, none of which had yet entered the West Scheldt.

"To all of this, and to the several arrangements explained to him in detail, he fully assented.

"In his reply to my letter of the 4th on the 8th of August, he acquaints me that several of the smaller vessels of different descriptions had passed through the intricate passage of the Sloe, and that he had ordered the frigates to pass up the West Scheldt, to be followed by the line-of-battle ships; and he gave hopes that he should be able to go up the river with the flotilla on the 10th of August at furthest, and that the frigates and line-of-battle ships should follow, as they came in, in succession.

"The frigates, however, did not pass Flushing till the evening of the 11th, and the line-of-battle ships only passed to the anchorage above Flushing on the 14th, the second day of the bombardment.

"These ships began to proceed up the river on the 18th, and arrived on the 19th; one division as high as the bay below Waerden, the other off the Hanswent, where they remained: the Courageux passed above Batz; the cavalry ships only got through the Sloe Passage into the West Scheldt from the 20th to the 23d, and arrived off Batz on the 22d and 24th; the ordnance ships and store ships passed through from the 22d to the 23d, and arrived at their destination off Batz on the 24th and 25th; the transports for Lieutenant General Grosvenor's division only came up to receive them on the 19th, on which day they embarked; and those for Major General Graham's division on the 20th and 21st; and they arrived off Batz on the 24th. The corps of Brigadier General Rottenburgh, and the light battalions of the German Legion, proceeded to join the Earl of Rosslyn's division in South Beveland.

"From the Statement, your Majesty will see, that notwithstanding *every effort on my part with the Admiral,* the armament was not assembled at the point of its destination till the 23th, and of course that the means of commencing operations sooner against Antwerp were never in my power.

"It now became at this advanced pe-

riod my duty to consider very seriously the expediency of landing the army on the Continent. On comparing all the intelligence obtained as to the strength of the enemy, it appeared to be such as to leave (as stated in my dispatch of the 29th of August) no reasonable prospect of the force under my command, after accomplishing the preliminary operations of reducing Fort Lillo as well as Liefkenshoeck, on the opposite side of Antwerp, without the possession of which the destruction of the ships and arsenals of the enemy could not be effected; and in addition to this, the *sickness which had begun to attack the army* about the 20th, and which *was hourly increasing to an alarming extent, created the most serious apprehensions in the minds of the medical men*, as to its further progress, at that unhealthy season, and which fatal experience has since shewn to have been but too well founded.

"Your Majesty will not be surprised if, under these circumstances, I paused in requiring the Admiral to put the army on shore. That a landing might have been made, and that any force that had been opposed to us in the field *would have yielded to the superior valour of British troops, I have no doubt;* but then, any such success could have been of no avail towards the attainment of the ultimate object, and there was still less chance that the enemy would have given us the opportunity. Secure in his fortresses, he had a surer game to play; for if ever the army, divided as it must necessarily have been in order to occupy both banks of the river, exposed to the effects of inundation on every side, and with all its communications liable to be cut off, while the force of the enemy was daily and hourly increasing, had once sat down before Antwerp, it is unnecessary for me to point out to your Majesty how critical must in a short time have been their situation. But when, added to this, sickness to an alarming extent had begun to spread itself among the troops, and the certain and fatal progress of which, at that season, was but too well ascertained, it appeared to me that all further advance could only tend to commit irretrievably the safety of the army which your Majesty had confided to me, and which every principle of military duty as well as the direct tenor of my instructions alike forbade.

"In this state of things, I considered that there was left me no alternative, but to pursue the course I have already stated, for your Majesty's information, in my dispatch of the 29th of August; and that conduct I now most humbly, but at the same time with perfect confidence, *submit to your Majesty's judgment.*

"I shall here close this report; which has, I fear, already detained your Majesty but too long; by observing, that wherever it has been necessary for me to advert to the disappointments experienced, through the arrangements of *the Admiral*, in the naval co-operation I had been taught to expect, *I have confined myself to stating the facts;* abstaining, as it became me, *from all comment*, and leaving it to the Admiral, in such report as he may make of his proceedings, to bring under your Majesty's view the circumstances which may have occasioned them, and above all, to *account* for the difficulties which *prevented the investment of Flushing* (a point never even *doubted* of before) as well as to shew *the obstacles* which presented themselves to the *early progress* of the armament up the West Scheldt, which operation I had always looked upon as the primary object of his instructions, and on the accomplishment of which our best hopes of success in any of the ulterior objects of the Expedition principally, if not wholly, depended. (Signed) CHATHAM.

Lieutenant-General,

October 15th, 1809."

(Presented to the King, 14th February, 1810.)

The observations, called for by this Narrative, naturally divide themselves into two parts: FIRST, as relating to the conduct of the Admiral, Sir RICHARD STRACHAN, towards LORD CHATHAM; and, SECOND, as relating to the conduct of *the ministry* towards *the public*.——Without entering into detail, it is manifest, that Lord Chatham, though, in some instances, he leaves it, in words, for others to judge of the Admiral's conduct, in fact he does condemn that conduct; that he blames the Admiral for not giving him the assistance that he might have given him previous to the capture of Flushing; that reinforcements were, from that cause, let into Flushing; that the capture of that place was thereby retarded; that, of course, the further intended operations up the Scheldt were also retarded from the same cause; that, when the time came to push forward, the Admiral was again tardy, and, that his tardiness did, in fact, cause so much delay in the operations of the army, that, supposing the great and ultimate object of

the Expedition to have been *at all practicable* (of which, by-the-bye, Lord Chatham seems from the first to have *greatly doubted*), that object must have been frustrated in consequence of such delay on the part of the Admiral.——Such is, I think, the fair meaning of Lord Chatham's Narrative. What answer Sir Richard Strachan may make to it, I pretend not to foresee; but, I have seen, in some of the news-papers, Lord Chatham's Dispatch of the *16th of August* quoted in *answer* to his present charges against the Admiral. In his Dispatch of the 16th of August Lord Chatham, after giving an account of his operations against Flushing, the capture of which he was announcing, says: "The seamen, "*whose labours had already been so useful to* "*the army*, sought their reward in a fur- "ther opportunity of distinguishing them- "selves; and one of the batteries was ac- "cordingly entrusted to them, and which "they served with admirable vigour and "effect.—I must here beg to express my "strong sense of *the constant and cordial* "*co-operation of the navy on all occasions;* "and my warmest acknowledgments are "most particularly due *to Captain Cockburn*, "of the Belleisle, commanding the flotilla, "and *to Captain Richardson*, of the Cæsar, "commanding the brigade of seamen "landed with the army."——Now, as Lord Chatham, in his Narrative, complains of the Admiral's not having given him the proper, and even the *promised* assistance, in the attack upon Flushing, it is said, by Sir Richard Strachan's friends, that we have here, under Lord Chatham's own hand, a *proof* that his complaint, now made, is, as far, at least, as relates to what took place previous to the capture of Flushing, *totally unfounded;* because we here see, that, *after that capture*, he says, in terms the most explicit, that he has every thing to say in praise of the navy; that he has had their "*constant* and *cordial* co-operation."——It is, indeed, very difficult; if not impossible to explain these words away; for, though the *Admiral* is not *named*, and two of his *captains* are named; still the *whole of the navy* is praised for its *constant* and *cordial* co-operation. The only question, therefore, is, whether considerations of future advantage, or of future prevention of mischief, did authorize Lord Chatham to make this report of the conduct of the navy, at a moment when he was in possession of the facts, which he has now laid before the king and the parliament, and which facts are in direct contradiction to that report. He does not praise the *Admiral*, he does not name him; and, it is pretty evident that he was displeased with him, at the time when he wrote his dispatch of the 16th of August; but, still, where are we to look for a justification for having, in a dispatch *intended for the public eye*, praised the navy and asserted that its co-operation had been *constant* and *cordial*, when, at the moment when he was writing that dispatch, he knew, that his operations had been retarded and that the great object of his enterprize was likely to be frustrated by a want of that very co-operation? In his dispatch of the 29th of August, where he states the causes, which have induced him to resolve to proceed no further, he does, indeed, say nothing at all about either the Admiral or the Navy, which shews that he was out of temper with the former, or, at least, that he was not upon a very cordial footing with him; but, there is nothing, in my opinion that can possibly reconcile the dispatch of the 16th of August with the Narrative now under observation. What took place, indeed, after the 16th of August, is another matter: Of the conduct of the navy after that date, Lord Chatham had not spoken in his dispatches, and was, therefore, at full liberty to condemn it either in a report to the king, or in his evidence to the House of Commons; but, there is no rubbing out the praises in the dispatch of the 16th of August; there is no reconciling that dispatch with the narrative; and, the public must, according to their opinion as to those two statements, be permitted to judge of any *other statements*, made by the same person.——It has been urged against Lord Chatham, that the *time* of publishing this Narrative indicates a desire to take an unfair advantage of Sir Richard Strachan. Really, there is something so strange in the whole of this affair, that one does not know what to think of it; but, I cannot see any reason that Sir Richard has to complain: that is to say, if what Lord Chatham says be correct. The former may demand an inquiry into his conduct. Towards Sir R. Strachan I do not think that Lord Chatham has acted unfairly.——But all this appears to me to be of very little consequence to the nation, compared with the question between *the ministers* and *the public*. This is the interesting point, in which Lord Chatham's Narrative is to be viewed.——We see, that the narrative is *dated* on the *15th of October;* and that it is

said to have been *presented to the king* on the *14th of February*.——Now, in the first place, how comes it, that Lord Chatham did not deliver it, in the shape of a report, *to the ministers?* How long, I should wish to know, has it been constitutional for a commander of an expedition to make his reports directly to the king, and not to the ministers?—— Well, but, why was not the Narrative presented sooner? Why, if drawn up on the 15th of October, was it not presented till within one day of *four months* afterwards?——Let it be observed, too, that this paper was not presented to the House of Commons amongst those papers, which, in THE SPEECH, the king was advised to say, he trusted, would be "*satisfactory*" upon the subject of this fatal Expedition; and, it is now clear, that this paper never would have been laid before the House, and, of course, that the public never would have seen it (though written in October last) had not the Inquiry took place, and which Inquiry, we should always bear in mind, was, in the way in which it has taken place, *opposed by the ministers*. Never should we have seen this paper, had it not been for the Inquiry; and, indeed, it would, from the dates, seem, that the *king* never would have heard any thing of it; so that to LORD PORCHESTER and those who voted with him the public are clearly indebted for the knowledge of the contents of this inestimable paper.——But, now let us look back a little, and see what was passing, while this paper lay, ready drawn up, in the possession of Lord Chatham. It is almost impossible to believe, that the ministers, or, at least, a part of them, were not, *in the month of October*, made *acquainted with this Narrative* of Lord Chatham; and it is, I think, quite impossible to believe, that whether they had, or had not actually *seen* the Narrative, they must have *known* of the mutual accusations of the land and sea commanders. Yet, on the *20th of December* did they advise the king, to tell the Corporation of London *that he did not think it necessary to order any military Inquiry into the conduct of the Expedition*. Well enough may it now be asked, *who it was that advised the king to give that answer to the City of London*. The king, then, in the Speech to the Parliament, says that he will order such papers to be laid before them, as, he trusts, *will be satisfactory*; but, he did not, and he could not intend to lay this most important of all papers before them, for, we see, that the paper is *dated* as presented to him only on the *14th of February*, long after the Speech was made. But, supposing the king not to have heard of the Narrative, his ministers must, or at least, Lord Chatham, the author of it, must; and yet these ministers, of whom Lord Chatham himself was one, advised the king, on the 20th of Dec. to tell the Citizens of London *that he did not think a military Inquiry necessary*.——Now, how is this to be met by the ministers? It is impossible, that they can deny having had a knowledge of Lord Chatham's Narrative; because, in that case, what becomes of him, who, as a cabinet-minister, *could hide from them that knowledge?*——Thus we see how much can be done by the City of London, if under the guidance of sound principles and animated with only common spirit. Had it not been for them; had it not been for their call for an Inquiry (a call which was treated in a manner that will not, I trust, soon be forgotten,) this Narrative of Lord Chatham would have been without one half of its effect. We have now not only the *proof* of the necessity of an Inquiry; but, to that we add the *proof* that the ministers, or one of them at least, who is still a minister, had already drawn up with his own hand, or, at least, had signed with his own name, a paper containing grounds more than sufficient for an Inquiry.

[Since writing the above, I find that there are some considerable omissions in the Returns of the Deaths, (see p. 280), which will be pointed out in my next.]

*** It was my intention to have offered some remarks upon several other topics, especially on the proposition for taking into our pay (just when the war in Portugal is likely to be put an end to) *thirty thousand Portuguese troops*, whom I hope the Parliament will take care to forbid being BROUGHT INTO THIS KINGDOM. ——I also wished to express more fully than I can now do, for want of time, the satisfaction I feel, in common with all those with whom I have conversed upon the subject, at the manly and useful struggle, *which Mr. Burgoyne has made in Essex*; and which may, at a future period, be the cause of rescuing that county from the *disgraceful compromise*, which, for years past, has in fact deprived the freeholders of any voice at all.

COBBETT'S
COMPLETE COLLECTION OF
State Trials:

The FIFTEENTH PART of the above Work will be published on the 1st of March. One Part will appear, with the greatest regularity, on the first of each succeeding month. Subscribers who purchase the Work in Quarterly Volumes are respectfully informed that the Fifth Volume will be ready for delivery on the first of March. Of the TWO HUNDRED and SEVEN Trials or Proceedings, of which the first five Volumes consist, NINETY-FOUR never before came into any Collection. The following is a List of the Articles contained in the Fifth Volume:

*** *The new Matter is marked* [N.]

187. The Proceedings, Examination, and Trial of Colonel Eusebius Andrewe, more commonly written Andrewes, (a Barrister of Gray's Inn,) before the High Court of Justice, for High Treason, A. D. 1650.
188. The Trial of Mr. Christopher Love, before the High Court of Justice, for High Treason, A. D. 1651.
189. The Trial of Mr. John Gibbons, before the High Court of Justice, for High Treason, A. D. 1651.
190. Proceedings against James Stanley, Earl of Derby, Sir Timothy Fetherstonhaugh, and Captain John Benbow, before a Court Martial, for High Treason, A. D. 1651 [N.]
191. The Trial of Major Richard Faulconer, at the Upper Bench Bar in Westminster-hall, upon an Indictment for Perjury, A. D. 1653.
192. The Case of Captain John Streater, on an Habeas Corpus, at the Upper Bench in Westminster-hall, A. D. 1653.
193. The Trial of Mr. John Lilburne, at the Sessions of the Peace held for the City of London, at Justice-Hall in the Old Bailey, for returning into England, being banished by Act of Parliament, A. D. 1653.
194. Case of the Privileges of Embassadors, being the Proceedings against Don Pantaleon Sa, Brother of the Embassador from the King of Portugal to England, for Murder in a Riot in the New Exchange, A. D. 1654 [N.]
195. The Trial of John Gerhard, Peter Vowell, and Somerset Fox, before the High Court of Justice, for High Treason, in conspiring to Murder the Lord Protector, A. D. 1654.
196. Proceedings of the Commissioners appointed by Oliver Cromwell for ejecting Scandalous and Insufficient Ministers, against John Pordage, of Bradfield, in the County of Berks, A. D. 1654.
197. Proceedings of the Commissioners appointed by Oliver Cromwell for ejecting Scandalous and Ignorant Ministers. In the Case of Walter Bushnell, Clerk, Vicar of Box, in the County of Wilts, A. D. 1656 [N.]
198. The Trial of the Hon. Colonel John Penruddock, at Exon, for High Treason, A. D. 1655.
199. Proceedings of the Lord Protector and his Council against Sir Henry Vane, knt. for the publication of a Book, intitled, "A Healing "Question, propounded and resolved, upon occasion of the late public and seasonable Call to "Humiliation, 'in order to Love and Union "amongst the honest Party," A. D. 1656 [N.]
200. Proceedings in the House of Commons against James Nayler, for Blasphemy, and other Misdemeanors, A. D. 1656.
201. The Trial of Miles Sindercome, alias Fish, before the Lord Chief Justice Glynn, and Mr. Justice Warburton, at the Upper-Bench, Westminster, for High Treason, A. D. 1657.
202. The Trial of Sir Henry Slingsby, knt. before the High Court of Justice, for High Treason, A. D. 1658.
203. The Trial of Dr. John Hewet, before the High Court of Justice, for High Treason, A. D. 1658.
204. The Trial of John Mordant, esq. before the High Court of Justice, for High Treason, A. D. 1658.
205. The Trials of TWENTY-NINE REGICIDES, at the Old Bailey, for High Treason, which began on the 9th of October, A. D. 1660.
206. Proceedings upon an Impeachment against William Drake, for writing, printing, and publishing a false, wicked, malicious and seditious Pamphlet, entitled, "The Long Parliament revived;" A. D. 1660 [N.]
207. Proceedings in Scotland against Archibald Marquis of Argyle, for High Treason, A. D. 1661.

ESSEX ELECTION.

To the Gentlemen, Clergy, and Freeholders of the County of Essex.

Gentlemen:—To the Eight Hundred and Eleven Independent Freeholders who have supported me, I return my warmest Thanks; to those who have opposed me, some of them not by the most justifiable means, I offer good will and forgiveness; and to those who on account of ambitious views and private friendship, have remained neuter, though they approve of my political principles, I submit my advice that they would in future feel for their country, and exercise their franchises in support of their opinions.—Under all circumstances, I assert that my defeat is in truth a triumph. I have manifested under every discouragement, some firmness and perseverance, in giving an example which I hope will be followed throughout the United Kingdom at the next General Election. I have faithfully observed my engagements, and shewn, that wealth is not necessary for a Candidate, and that the Freeholders of Counties have still the power to choose their own Representatives. I wish I could add, that all those who have talked the most of independence have had the courage to exercise it.—Powerful have been the means employed to influence and terrify;

and after your elective franchises lying dormant forty years, in consequence of the compromise which has disgraced this County, it could not be expected that the spirit of independence should be at once as conspicuous with us as it is in the neighbouring County of Kent. However, the foundation is laid, and the best return I can make for your favour, is to continue to support this constitutional work.—Mr. Houblon has no reason to boast of his majority; his return is owing to the disunion of his enemies, not to the strength of his friends. A third of the Freeholders have not polled; the leading Whig interests have not moved; hundreds of my friends did not give me their votes, because they thought that there was no chance of overtaking my opponent. An exposure of some of the instances of influence and tyranny which have been exercised will be my first object. If they do not deter the enemies of your independence from such venal practices in future, they will, I hope, encourage you to resist them, and teach you that your country is your surest party and your best friend. I am, Gentlemen, Your faithful friend and obliged servant,

MONTAGU BURGOYNE.

Chelmsford, Feb. 17.

MR. WINDHAM.

SIR;—The Letters of your opponents so frequently find places in your Weekly Register, that I shall make no apology for leaving this at your disposal.—As it is intended to be a commentary upon a commentary, the text being Mr. Windham's late speech, or rather, as you correctly describe it, "the publication called a Speech of Mr. Windham," I shall pursue the order observed by you; withholding, however, for the present, any remarks connected with what you call the public part of that speech, partly because they might extend to a length inconvenient for insertion, but more particularly because you intimate that your remarks on that head are not yet closed.—Adverting then to the "personal" attack contained in the publication in question, you first observe, that it was any thing but "manly," that is, it left the persons attacked without the means of defence. What? The lords and masters of the press without the means of defence? Surely this position is rather whimsical.—As well might you tell me that if you were to thrust your hand into a hive of bees, the poor bees could do nothing but drop their wings, and mourn over their own helplessness. Let us look to what has now been the fact. Has the hive been indeed so passive? Has there been no buzzing, no stinging, no shower of darts from the citadel, no sally from the garrison? Or do you mean it to be thought that your observations, and those of the Reporter whose letter you insert and applaud, and those too, daily issuing from the Newspapers in town and country, furnish no defence at all?—That Mr. Windham's attacks are going through the world unanswered and unchecked? This I think you cannot wish us to believe.—But the assaulted parties, you will say, though they could reply to him the next morning, could not do so when the attack was made. This is true, and it is equally true in every case where the party attacked is absent; It happened so with respect to some individuals who had not the good luck to be amongst the auditors of your Speeches in Hampshire. Yet I do not recollect that on that account you thought it necessary to apologize for the unmanliness of the censures you applied to them. Well, but the present case, you may say, is not that of persons absent, but of persons actually present who are prevented from making reply. So, then, it seems that one of these rules should be observed;—either no member of parliament should be permitted to remark on the conduct of any individual not a member, but who may happen by some chance to be seated in the Gallery—or else, what would be more entertaining, and perhaps more conformable with your opinions, the attacked gentleman in the gallery should be allowed to reply to the attacking gentleman on the floor.—This would give a pleasing variety and relief to the debates, and the house and the gallery might come to a trial of strength of lungs in applauding their respective champions. Seriously, Sir, in the present contest, you and your associates have every advantage over your adversary (if such you choose to consider him) which number, concert, *esprit du corps*, the use of your own accustomed weapons, and what is more than all, the absolute command of the press, can afford you;—so that while you are censuring Mr. Windham for want of courage, all the rest of the world, unconnected with the press, is astonished at his temerity; I mean as shewn in a total disregard of personal considerations. Next as to the descriptions given of the persons attacked, you have asserted roundly, that not one of

them has ever kept a lottery-office or been a footman—and that but one of them has been a bankrupt.—Without disputing your means of possessing thus early the result of an enquiry regarding a very numerous body of people, I would just observe that, even if that result should prove to be correct, the main arguments of the Speech in question would not at all suffer, provided that amongst the persons alluded to, some were found to be at least of similar classes, neither does it alter the case if it should happen (as from my own knowledge it does) that some, or even many, respectable and well educated persons are connected with the daily and weekly press. The words in question, even as given in the report you have made use of, are by no means of a general nature, though the Editors and Reporters, as if coveting an attack, seem almost with one voice to have agreed to regard them as levelled against the whole fraternity, collectively and individually. With respect, however, to one of the obnoxious descriptions, that of "footman," I have heard from a person who was present, that it was not used by Mr. Windham, through by mistake it was noticed as if it had, in Mr. Sheridan's reply—a mistake which, I am told, was immediately corrected. You possess ample means of informing yourself and the public, whether this statement be true or false. But whether the opinions thus said to have been advanced by Mr. Windham were just or otherwise, it is to me, who have been a frequent and almost constant reader of your Register for many years; it is to me, I say, a matter of perfect astonishment to find you, of all men living, charging those opinions with injustice or harshness: You, who have so repeatedly branded the press with every species of infamy, you who have constantly reviled its conductors as "hirelings," you, who have exhausted a vocabulary with which no writer has ever been more copiously stored, in exposing these "Hirelings" for what you have described as their calumnies, misrepresentations, venality and corruption! Passages to this effect I could easily cite from your works sufficient to furnish you with mottoes for the next five years. Yet now these "Hirelings" are honoured with your special protection—your more than brotherly commiseration. This inconsistency, though more glaring in you than in any of your new associates, is still remarkable enough in many of them, whose daily practice it has been to bespatter one another with charges of venality and slander. But let an attack be made from a foreign quarter, and the civil wars are over in an instant—the wrangling corps forget their own quarrels, and become firmly united against the common enemy. The inference to be drawn from this conduct must be, that the charges made are true when alledged by themselves, but false when adduced by a bystander.——I am now come to the personal application which you have chosen to make of Mr. Windham's use of the term "Bankrupt." That this gentleman should have had in view any individual whomsoever, seems neither necessary nor probable. That he should have thought of Mr. Wright, appears from your own statement to be improbable in the highest degree. Mr. Wright seems by that account to have possessed Mr. Windham's good will, and not to have done any thing to forfeit it. His past misfortunes, even if known to Mr. Windham at all, must have been known by him to have proceeded from other causes than misconduct; and if any reproach had been attached to those misfortunes, (which there is no reason to believe) he would for the revival of that reproach be indebted to your friendly offices. Mr. Wright, moreover, seems not to be strictly of the description of persons to whom Mr. Windham was alluding. His publication is not a newspaper; it is a Collection of Speeches compiled and printed some time after they have been delivered, with a view to the information of posterity, and corrected, in many instances, by the speakers themselves. Mr. Windham appears to be one of the speakers who render this assistance, and it would have been strange indeed if he had thought it necessary to censure a publication to which he himself contributed. Neither is the care which he has manifested in the correction of his speeches at all inconsistent with his opinion (if such be his opinion) that the debates ought not to be published at all. If still they are published, there surely is no blame in his desire that his statements on important questions should be given correctly. As to the obligation under which it is pretended Mr. Windham is placed by the trouble his speeches have given to the editor, it is surely at least reciprocal. It certainly must be very much the editor's interest, as it ought to be his endeavour, to have his publication corrected by those who are most competent to the task; and in fact it appears from your

statement that both you and Mr. Wright "took pleasure in having Mr. Windham's "speeches upon record as full as possi- "ble."—Finally, you advert to a communication very unimportant in itself, and upon which you leave the comment to be made by your readers, probably from the difficulty of ascertaining what sort of comment it was capable of. It seems not improbable, I think, that in the representation given, the *dramatis personæ* may have shifted places a little; that is, it seems the more natural course that Mr. Wright should have first mentioned to Mr. Windham what Mr. Windham is stated to have asked from him. I am very far from wishing to impute to Mr. Wright any wilful misrepresentation. The mistake may have arisen from the want of a precise recollection of a conversation which probably took place some time ago, and which certainly proves nothing against Mr. Windham, in which ever way it might have passed. I am, Sir, &c.

15 *Feb.* 1810. A FRIEND TO TRUTH.

JACOBIN GUINEAS.

SIR;—The liberality, with which you invite all your readers to the free discussion of every subject that excites public curiosity, has induced me, who am a stranger, and by no means fond of obtruding opinions, to offer a few observations on the subject of Jacobin Guineas; and though I may only flatter myself in supposing they may tend to simplify, I certainly shall not be accused of puzzling what was before a plain question.—I am not, Mr. Cobbett, a speculative theorist. The knowledge which I have acquired has arisen chiefly from observation and experience, and if in the discussion of this question I suffer myself to be led by that experience, and attempt an illustration by a recurrence to my cash book and ledger; though to the refined philosopher, to bring it thus to the level of common accompts may appear degrading, yet to men of plain understanding, who like myself estimate knowledge by its practical effects only, I may fairly hope to stand excused; and the more so if it really should in any measure elucidate a subject rendered somewhat obscure by fine spun reasoning, ingenious deductions, and false conclusions. The business of a petty country bank, differing only in degree, is in principle the same as the Bank of England. And the trifling barter and sales of the lowest trader, the same as the most extended commerce between one nation and another. —Want of capital, limited credit, and an overstocked market producing in each the same difficulties, embarrassments and insolvency.—Early in life I started into business with a sum scarcely to equal the furniture of a modern kitchen, or the fittings-up of a stylish compting house. In the first place, I made myself acquainted with the value of a variety of articles at the wharf, with the prices given by the retailer, and with the profits paid by the consumer. Opportunities soon occurred of realizing large gains. The cheapness of the commodity, the certainty of its sale, and the probable quickness of the return, were self-evident; but with my little sum and no credit, cheese-parings and candle-ends were all that I could manage.—My more wealthy neighbours easily secured to themselves these advantages, and were daily adding to their capital already so large: still I was not discouraged. The interval between my small purchase and return gave me more leisure than I either wished or enjoyed. Yet was this leisure useful. I began to enquire into the origin of their wealth, and I soon found that many of them started from the same point at which I then stood. I followed them through the different stages of their success, and investigated the causes which secured to them a fortune, so much more prosperous than their brethren. I perceived that as they advanced in business, by their integrity, their caution, and above all by their punctuality, their credit increased in a ratio far beyond their capital. It was very evident that whilst their warehouses already contained goods, far exceeding in value the whole amount of their property, they were still making advantageous purchases, and thereby doubling the means of getting rich. And this was no problem. They felt quite secure in laying out their last shilling, no sudden demand could injure them. An additional capital was soon created, and all their difficulties vanished. The Bank had no hesitation in discounting freely for them; for they had never been defaulters, even for a moment. They knew that no man dare overtrade his capital with impunity; for he must either sell at reduced prices, to remove the evil, or he fails, partially at least, in his engagement; that no man fails in his engagement, but he inflicts a wound on his credit, in proportion to the magnitude of that engagement, but they knew also, that

credit forms a part of capital, and in proportion to the solidity of the former, was the extent and power of the latter. It is true, a comparison sometimes produced in me a sort of melancholy—but never despair; for consolation was always at hand. *I knew that by steadily pursuing their precautious system, I must attain the same advantages.* And I have *pursued their system.* And though still young, I have experienced the good arising from it. My capital, though princely in comparison of what it was, is yet very small: but the degree of credit I have obtained is equal to my most sanguine expectation. Now let us apply these simple facts; this plain statement, to the commerce, the credit and the resources of a kingdom. The close of the eighteenth century found Great Britain (no matter from what causes) rich and powerful beyond former times; carrying on a trade, both at home and abroad, equal to her most powerful energies. Suddenly the flame of war bursts forth between her and France. All the maritime and trading states of Europe, one by one as they became ingulphed in this destructive vortex, lose every island, every ship, and every bale of goods. Their whole commerce fell under the guidance of Great Britain. Her fleets swept the ocean, and protected her merchant vessels to the remotest corner of the globe:

"The winds and waves were Britain's wide domain,
"And not a sail but by permission spread."

But her wealth, vast as it then was, and not yet drained in subsidizing her allies, was not equal to these opportunities. Her capital was already in action. Her credit, though never doubted, had been but partially tried. How then were these opportunities, so valuable in a commercial point of view, to be improved? Simply, though certainly, by creating a new capital. And Mr. Pitt, in furthering his own extravagant views, did at the same time a most essential service to the nation. By the restriction of the Bank of England he taught us, that we might employ that part of our capital, which till then was necessarily detained at home, in the extension of our foreign trade; while the accommodation, so liberally afforded by the Bank, in discounts to our merchants, together with the relief, arising from the bonding system, then introduced by the government, doubled our enterprises.

It is not my intention, as it is foreign from my subject, to enquire into the evils that may arise from any mismanagement of our rulers, by the facility thus afforded of obtaining supplies from the Bank. The consequence necessarily would be a depression as in other countries. And no Restriction Bill, nor any other law, however rigorous, could keep up its tottering credit:—ruin would inevitably follow. *But to return from this digression. No sooner were the effects of these changes* felt, than our harbours were crowded with ships, from all quarters of the world: Commerce and the manufactories, in spite of the war, and contrary to all former experience, flourished beyond conception. But the Decrees of Buonaparté interrupted this course of prosperity. Then came the dreadful trial! Our whole capital, real and borrowed, had been bartered for foreign merchandize; and our manufactures, which hitherto had found their way throughout the continent, lay heaped up in our warehouses: all were suddenly left on our hands! Where then is the wonder, that we should feel distressed? I should rather say how wonderful that we withstood the shock!! It is true, our manufacturers bitterly complained; our West India merchants called on the ministers for support; and our East India Company felt embarrassed: but still we have kept on our course, and none of these dismal forebodings, so often and so loudly heard, have yet been realized. The great difference of exchange, arising principally from this source, can be no proof of the depression of our currency. The sums advanced to Austria, and the remittances for Russian, German, and French produce, whilst, from the operation of these Decrees, we could create no funds there, by the introduction of our commodities, are causes quite sufficient to account for this. The delicate state too of public credit in France, and the total ruin of it in most of the other states of Europe, at the same time that it forbids the renewal of a paper currency, must necessarily increase, in a most astonishing degree, the demand for gold and silver: of which all their circulating medium must now consist: and this demand furnishes a most powerful argument, amounting even to positive proof, that their paper currency, not ours, has suffered a depression. Else why are gold and silver not more valuable here? Indeed so great and so solid are the advantages, arising from our paper, that whether with notes or with guineas, our wants are supplied with the same facility. To talk then of the depression of our currency, whilst

this fact is admitted, is indeed extravagant. Where, let me ask, is that depression, when it really does take place, most sensibly felt? Be informed by the butchers and bakers of France, when the assignats began to accumulate on their hands, how differently they treated that customer, who came with a petit-ecu, from him who presented a six-livre-assignat, in exchange for the same article?——To conclude, Sir: the difference of exchange is a perfectly distinct question. and the very circumstance of our having a paper currency at home, will at all times, give us the opportunity of reducing it the more easily: because, in all cases, difference of exchange can only be affected in two ways: a fund must be established, either by merchandize, or by money. If by money: then may we, with safety, drain ourselves; which if we had not Bank notes, we could not do to the same extent, and the difference would become still greater. If by merchandize: then have I my proof at hand; for since the communication has been revived with the continent, the exchange has positively fallen. And let this communication continue but for a few months, and I am persuaded it will do more to the establishment of this point, than all the reasoning, however specious, and however well directed, that the most able advocate on either side can advance. I am, Sir,

Your most obedient,

Cheapside, Dec. 19, 1809. J. V.

ENGLISH CATHOLIC MEETING.

London, Feb. 1, 1810.

At a numerous and most respectable Meeting of English Roman Catholic Noblemen, Gentlemen, and Clergy, held this day, at the St. Alban's Tavern, the following Resolutions were unanimously adopted:—The Right Hon. Lord Stourton, in the Chair;

Resolved, 1. That the Roman Catholics of England are subject to several penal and disabling statutes, which have the most humiliating and depressing operation upon them, and by which they are reduced to a state of political degradation, highly injurious to their country and to themselves.—2. That arrived, as the United Kingdom is, at the crisis of its fate, unanimity among all classes of his Majesty's subjects, is most essential for the preservation of the Empire, and that nothing can produce that unanimity, but an equal participation in the rights, privileges, and immunities, of the British Constitution.—3. That the Petition signed by the Roman Catholics of England, for the repeal of these statutes, be presented to Parliament.—4. That Earl Grey be requested to present the same to the House of Lords, and that the Right Hon. William Windham be requested to present the same to the House of Commons.—5. That the English Roman Catholics, in soliciting the attention of Parliament to their Petition, are actuated, not more by a sense of the hardships and disabilities under which they labour, than by a desire to secure, on the most solid foundation, the peace and harmony of the British Empire: and to obtain for themselves opportunities of manifesting by the most active exertions, their zeal and interest in the common cause in which their country is engaged, for the maintenance of its freedom and independence; and, that they are firmly persuaded, that adequate provision for the maintenance of the civil and religious establishments of this kingdom, may be made, consistently with the strictest adherence on their part, to the tenets and discipline of the Roman Catholic Religion. And that any arrangement founded on this basis of mutual satisfaction and security, and extending to them the full enjoyment of the civil constitution of their country, will meet with their grateful concurrence.—6 That the Thanks of the English Roman Catholics be give to our Secretary, Edward Jerningham, Esq. for his unabated zeal, persevering assiduity, and distinguished prudence in the management of our cause.—7. That the Thanks of this Meeting be given to the Right Honourable Lord Stourton, for his conduct in the Chair.

STOURTON, Chairman.

OFFICIAL PAPERS.

HOLLAND . . . . . BRABANT. *Decree dated Paris; Palace of the Thuilleries, Jan.* 20, 1810.

Napoleon, Emperor of the French, King of Italy, Protector of the Rhenish League, and Mediator of the Helvetic Confederation:—Desirous to provide for the security of the northern frontiers of our empire, and to place out of danger our dock-yards and arsenal at Antwerp, we have decreed as follows:—Art. 1. An army shall be formed, to be called the Army of Brabant.—2. All the country situate between the

Maese, the Scheldt, and the Ocean, shall compose the territory of the said army.—3. All the French and allied troops, whether naval or military, within that compass, shall form a part of the Army of Brabant.—4. The fortresses situate between the Maese and the Scheldt shall be placed in a state of siege.—5. The Military Commanders and French Authorities in Holland, are required to conform to the present orders.—6. The Minister of War is charged with the execution of the present Decree. (Signed) NAPOLEON.

Proclamation.—[Army of Brabant.]—Inhabitants of Brabant, of the islands of Zealand, and of the islands situate between the Maese and the Scheldt.—His Majesty, the Emperor Napoleon, having ordered me to take military possession of the country situate between the Maese and the Scheldt, I have ordered some steady and disciplined troops to march thither, who are instructed to respect your customs and manners. I hope in return they will meet with a reception worthy of their good conduct, for which I have no hesitation to pledge myself. (Signed)

The Marshal DUKE DE REGGIO.

Breda, Jan. 28, 1810.

NOTES *of the French Official Paper, the* MONITEUR, *on the* KING OF ENGLAND'S SPEECH *at the opening of the Parliament.*

(Speech.)—"His Majesty commands us "to express to you his deep regret, that "the exertions of the Emperor of Austria, "against the ambition and violence of "France, have proved unavailing."

(Moniteur.)—What grossness of style! If Austria had been victorious, and her armies had arrived at the banks of the Rhine, we should have heard England boast of having restored the Austrian monarchy, and re-established its power. England alone would have done every thing. But the enterprize of Austria had only calamitous results, and the British Cabinet now disavows it. It follows the constant practice of England; and soon we shall be required to believe, that English frigates did not come to Trieste to bring subsidies from England; that the Cabinet of London had no knowledge of the projects of the Court of Vienna; that while it sent an army into Spain to maintain the war in the peninsula, while it excited the Porte against France, and Sweden against the North, it had no thought of Austria. Can a nation be thus shamelessly mocked? To know the true opinion of the English ministry, it will be sufficient to read the Treasury Journals, and the numerous articles in which they express with exultation the hopes they had conceived, when Austria published her Declaration.

(Speech.)—"An attack upon the naval "armament and establishments in the "Scheldt, afforded at once the prospect of "destroying a growing force, which was "daily becoming more formidable to the "security of this country."

(Moniteur.)—It was not then to succour Austria that you undertook this expedition?

(Speech.)—"These considerations de-"termined his Majesty to employ his "forces in an Expedition to the Scheldt."

(Moniteur.)—Excellent logic! if you had wished to excite revolt in the north of Germany, you should have landed at the mouth of the Elbe, and not in the Isle of Walcheren. But there were no ships and arsenals to burn at Hamburgh. Your Expeditions are only incendiary Expeditions.—What success could you expect? It did not require much penetration to feel, that, at the moment when you attacked the sacred territory, millions of arms, which could not be employed to fight in Germany, were always ready to be raised in defence of their homes, and would rival each other in courage and enthusiasm in their defence. To attack France was not to prevent the Emperor from disposing of his troops to conquer Germany, it was to give him a new army of men, whom, once enrolled, he might retain under his standards as long as he should judge proper. The British Cabinet knows little of France and as little of the Emperor; it has not yet been able to appreciate actual circumstances. If the Emperor had been asked what England ought to do to promote his interests, he would, no doubt, have advised her to attack the territory of France, certain that the result of this expedition would be to give him an army completely equipped, which, after having driven the English into the sea, might march to the Weser, to the Rhine, or to the Danube. If the war with Austria had continued, the 100,000 national guards, collected in Belgium, after having repulsed the English, would have taken the direction upon the 8th corps, and have joined the army destined to act against Bohemia. Nothing could have been more easy than to profit by their enthusiasm. A proof of

this is, that many of the national guards having once left their homes, and returned to the military life, have not been willing to quit it, till they had tempted more glorious hazards, and have entered into several new regiments, called "regiments "of National Guards of the Guard," regiments which will only be composed of men taken from the national guards, and who will march to Spain. The men who conduct the English Cabinet must certainly be very ignorant, since they do not know the difference between the spirit of the French Monarchy, and the spirit of the French Empire, between the Royal Court, and the Imperial Court. The times are changed: the whole world knows it; the English alone remain in blindness. But what is most particular is, that this attack, by creating to France new military forces, has procured her new resources of finance.

The *centimes de guerre*, which had been suppressed several years since, have been re-established voluntarily, and by a simple patriotic decision of the general councils of the greater part of the departments threatened; and have sufficed for the expences of this army, raised, as it were, by enchantment, so that nothing will be added to the expenditure of the budget. The French have reasoned thus: The Emperor suppressed the *centimes de guerre*, when the motives which caused them to be imposed no longer existed; the enemy now approaches our frontiers, it is therefore just to pay them as before. These resources, given by patriotism, and the good sense of the departments of the North, will be definitively authorised by the law relative to the finances of the year.

You wished to prevent France from sending her troops to the Danube, but you know not the resources of the empire. Know, that to cause all your Expeditions to fail, the Emperor need not employ a single man of his troops of the line. The 16,000 men of *gendarmerie*, which form the finest cavalry in Europe, and a cavalry five times more numerous than any you can bring by sea; the departmental companies, and the national guards, are forces more than sufficient to frustrate all the operations you can undertake against the French territory.

(Speech.)—"His majesty confidently "hopes that advantages materially affecting the safety of his Majesty's dominions, if the further prosecution of the "war, will be found to result from the "demolition of the docks and arsenals of "Flushing. This important object his "majesty was enabled to accomplish in "consequence of the reduction of the "Island of Walcheren, by the valour of "his fleets and armies."

(Moniteur.)—The mischief done by the English, in the island of Walcheren, is estimated at 2,000,000 francs; but they have repaired the fortifications of Flushing, on the land-side, and left them in the best condition. The expence thereby incurred, is estimated, by our engineers, at 600,000 francs. They have left behind batts, bombs, and pieces of ordnance, and suffered a great number of their ships to be taken; several of them were laden with clothes; 15,000 coats were found on board of one of the said ships. On calculating the value of these different articles, and taking every thing into account, it will be found that our losses are nearly balanced by our gains; at least the former do not exceed the latter by 500,000 francs. The mines made to blow up the sluice of the large basin of Flushing, were constructed with such a degree of ignorance, or precipitance, that they did not effect their purpose; they have not damaged the ground-beams, which makes a difference of a million. Had they injured the ground-beams, two years' labour, and an expense of two millions, would have been required, to render it possible for ships to enter the basin; while now, 300,000 francs, and six months' time, will be sufficient to put the sluice in a serviceable condition. On hearing this speech, should we not be induced to think, that the arsenals and dockyards of Flushing are the arsenals and dockyards of Brest? The dockyards, the arsenals, and part of the Scheldt, are at Antwerp, and not in Flushing. But one 64-gun ship, and one frigate, were on the stocks in Flushing. The English have taken these ships to pieces, but left us the timber. The expedition of the English has produced one favourable result; it has removed all manner of doubt on the possibility of ships of the line, completely armed, sailing up the Scheldt. We have now such an accurate knowledge of that river, that our squadron has arrived at Antwerp, completely armed, and has come there to moorings, perfectly safe. The basin of Antwerp will be finished in the course of this year, and 30 sail of the line can be afloat there, perfectly sheltered from the ice. Our ships will, in future, set sail from Antwerp, completely armed, and having

their provisions, water, and artillery, on board.

The English Ministers insult both the Parliament and Europe, by endeavouring to make them believe, that, in a war of this nature, a mischief done to a basin, not exceeding 200,000 francs, can be of any weight in the scale. (The rest of the mischief done at Flushing, consists in the destruction of the magazines, and is estimated at 1,500,000 francs; but these magazines were useless, and are not to be rebuilt.) God grant that England may, at all times, pay as dear for the advantages which she may obtain, as she has done in Walcheren. At the same price we offer to her similar advantages every month, and feel convinced that she will be ruined at the end of the year. Besides, we attach so little importance to Flushing, it is so little necessary for us, that were it not with a view of preventing England from glorying in mischief, which she has done on the Continent, we would not expend the 300,000 francs, which are required to repair the sluice of the basin. Besides, we entertained already the intention of suppressing the dock-yard in Flushing, on account of the high price of labour, and the prevailing diseases; the ship which was building there, had merely been put on the stocks to employ the timber found there. We have at Antwerp slips for eighteen ships of war, and these eighteen ships are actually there on the stocks; what occasion can we then possibly have to scatter our dock-yards?

(Speech)—"While his Majesty, therefore, laments, that Sweden should have "found it necessary to purchase peace by "considerable sacrifices, his Majesty can- "not complain that she has concluded it "without his Majesty's participation. It "is his Majesty's earnest wish, that no "event may occur to occasion the inter- "ruption of those relations of amity, "which it is the desire of his Majesty, "and the interest of both countries, to pre- "serve."

(Moniteur.)—The generosity of His Britannic Majesty is truly admirable. When Sweden has lost all her armies, and the most important of her provinces, the only one which secured her independence, without having obtained the least succours from England, when she was overwhelmed and crushed, in consequence of the disappearance of Gen. Moore, who, after having remained for several months on board the transports before Gottenburgh, returned shamefully to England; when she has sacrificed herself for the cause of Great Britain, without the latter having fired a shot in her defence; in fine, when England, with all her vessels, has not been able to prevent the Russians from taking Aland, the enemy threatening to enter Stockholm, and the Swedes being compelled to purchase peace, one should expect, that England would declare, in the face of the world, from a noble and generous policy, that she will never acknowledge the dismemberment of Finland, and that she will immediately present Sweden with Martinico, Cayenne and Malta, and with all the other acquisitions, which she may have made during the war, to indemnify Sweden for the losses which she has sustained; for, in a general war, the two combined states make common cause, and the conquests of one must serve to repair the losses of the other. But a policy so exalted clashes too much with the narrow ideas and egotism of the English Cabinet. His Britannic Majesty firmly adheres to the principles which induced him to forsake the King of Sardinia and the King of Naples; he is accustomed to reckon on the ruin of his allies the moment he signs the treaty of alliance with them. England declares to Sweden, that she has no objection to her having treated without her and parted with her provinces. This passage is no doubt meant for an irony. What else do the English prove by it, than that they forsake the unfortunate. But has this not already been proved by the Kings of Sardinia and Naples?

Again, you say, that Sweden has made peace with your knowledge; it is, then, with your knowledge, that Sweden has precipitated from the throne the Monarch, who has brought all his misfortunes on himself by his attachment to your cause. The people and the army, who felt indignant at the blind devotion with which he preferred your interests to those of his country, and, urged into action by the imminence of the danger, hurled him down from the throne; and they neither stood in need of your permission nor your consent, to save the remains of their country. You, therefore, add deception to irony. Nor can this passage be considered with any degree of attention, without horror and disgust. Who would conceive that it is a king who thus expresses himself? To whom do you allude, when you speak of the King of Sweden—the late or the present? But was not the latter raised

to the throne by the unanimous wish of the Nobles and the people, of the Court and the town, as it were, from a hatred of your principles and of your alliance? And the late King, on the contrary, was he not your most faithful friend and your firm ally? Has he not sacrificed to you his crown, his policy, the blood of his subjects, and the wealth of his people? Did he not support you in your infamous expedition against Copenhagen, and did he not approve all your piracies in the Baltic? Did not your colours sail in company, and did not the most intimate and most friendly relations exist between his Court and yours?

And yet, when this Prince was driven from his throne by an act which was necessary but violent, which was useful but illegal, which may save Sweden, but which has been, and ever will be, a dishonour to you in the eyes of all Europe; you acknowledge the new King, who has mounted the throne of your friend, and who, for the first act of his government, has concluded peace with France and Russia, has adhered to the continental system, has shut his ports against you, and has placed himself in a state of war with you! You shew at least a great deal of complaisance and good nature! Unfortunate Gustavus! if, in thy banishment, thou readest this speech, what will not be thy astonishment and thy grief, not to find in it the slightest expression of regret? England, to whom thou hast sacrificed thy throne and thy family, deigns not even to honour thee with regret: thou hast been abandoned, denied from the moment when thou ceasedst to reign. They disown thee, they conduct themselves towards thee, as if they had never known thee; they would almost have it believed, thou hast been their enemy! And it is they, who, by their fatal friendship, have drawn thee to the precipice, that treat thee thus! History will see in this conduct, the true character of English policy; a policy destitute of feeling, which has no other spring than gold; and do we not know, that the thirst of gold banishes every generous sentiment from the human heart? We find in this paragraph, we are bold to say, a proof, that the King of England no longer exists as King. A King, who would preserve the august character of royalty, and, above all, a King, who fills the throne stained with the blood of Charles 1, would have avoided speaking on such a subject. If circumstances prevented him from openly censuring a revolution which had dethroned a King his ally, his duty to himself at least required that he should avert his eyes from it, and in case policy had led him to ratify so authentically that extraordinary event, his tears should have procured pardon for the calculations dictated by policy!

(Speech)—"The expulsion of the French "from Portugal, by His Majesty's forces "under Lieutenant General Lord Viscount "Wellington, and the glorious victory "obtained by him at Talavera, contributed "to check the progress of the French arms "in the Peninsula, during the late cam-"paign."

(Moniteur.)—This is excellent! It was not the war declared by Austria which retarded the conquest of Portugal; it was the battle of Talavera which arrested the progress of the French army; whereas our troops were long stationary, and the result of this battle was to lead them several marches forwarder than the position which they had orders to occupy.

(Speech)—"His Majesty relies on the "aid of his Parliament, in his anxious en-"deavours to frustrate the attempts of "France against the independence of "Spain and Portugal, and against the "happiness and freedom of those loyal "and resolute nations."

(Moniteur.)—There is in this paragraph much bad faith. At the very moment when the King spoke thus from his throne, his troops were abandoning Badajoz, and the left bank of the Tagus, to throw themselves on Lisbon, leaving uncovered the Sierra Morena, and all Andalusia. If you had wished not to have to regret that Sweden should find it necessary to purchase peace by considerable sacrifices, you should have landed 40,000 men in Finland. If you had wished to succour Austria, you should have sent 40,000 men to Trieste or to Hamburgh. And if, when you knew that the battle of Ratisbon had fixed the fate of Austria, you had wished to succour the Spaniards, your army at Walcheren should have been on the field of battle at Talavera. But the fame of the success and glory of France excites in your hearts a rage so violent; a shock so tumultuous of all the feelings of hatred and fury, that they rise, as it were, in clouds of smoke, which obscure your sight. You no longer think of what may be useful to you, but only of what may satisfy your rage. You must have murders and conflagrations. Thus it was that when, at Tilsit, peace came for the consolation of Europe, and caused tranquillity to succeed

to carnage, you shuddered at beholding the prosperity of the Continent, like the devils in Milton, on beholding the happiness of the first pair: and, to dissipate your *sombre* spleen, you have procured yourself the horrid spectacle of the burning of Copenhagen. You have just seen two great nations concur to terminate the war, and presently, to console yourself for the cessation of these calamities, you recur to new scenes of destruction and of massacre! Since such is your instinct, follow it; but spare your irony to the wretches whom you ruin. Now that the two Castiles, La Mancha, Arragon, Navarre, Biscay, the kingdom of Leon, the province of Salamanca, Catalonia, three-fourths of Valencia, &c. are in our power, you would collect the Cortes. You talk of political assemblies to men who have no other spring of action, no other energy, than fanaticism and superstition. Where are these Cortes to meet, unless on board your fleets? But you believe not a word of what you tell us, and London believes it still less. There are too many English in Spain for you to deceive your nation on the true state of affairs in that country. Your object is solely to excite the Spaniards to combat the French, while you are flying to your ships. Continental wars secure you the empire of the seas. You behold the French and the Spaniards destroying each other. "They are enemies," you say, "that are fighting: Shall we be so senseless not to irritate their quarrels, or not to furnish them with arms? Do not the Spaniards pay for our fatal presents in a manner most valuable to us? They pay for them with their own blood." This passage completes the developement of your conduct, and furnishes every thinking man with a new subject of malediction against you.

We remark in the same paragraph another prostitution of the sovereign power. —It speaks of Ferdinand VII. as if the King Charles IV. did no longer exist, or as if the son could be possessed of any right, during the father's life. What would George III. say, were the Prince of Wales, with this speech in his hand, to ascend the Throne; and if, at the head of the guards at Windsor, and of the people of London, he confined his blind and aged father in the Tower? We cannot deny that Europe would be authorized to say, in such a case, "You have well deserved this."—What doctrine for a King who has a son 40 years old! What error! What immorality!

Thus, because the consequence of a revolution of valets and of guards has been, that a king, spotless on the throne, has been precipitated from it by his son, you acknowledge Ferdinand VII! This word alone, sufficiently explains your intrigues in the affairs of Spain. You acknowledge Ferdinand, because you have seduced those around him, and that you have made use of the Duke Del' Infantado to drag him into plots against his father and his mother, under the pretext of attacking the Prince of Peace. The plan settled by your partizans was, that immediately King Charles was dethroned, the places should have been provided with ammunition, and strengthened; troops marched towards the Pyrences have changed afterwards the system, and concluded the peace with England. You knew sufficiently the character of the Emperor of the French, to be convinced that he would not agree, and that France would attack Spain; and you thought that the latter would be compelled to throw herself into your arms, and become your slave! Behold the knot and the secret of the affairs of Spain!—Your partizans have openly displayed their plots. Your dreadful intrigues had succeeded in arming the son against the father. King Charles, perceiving his life threatened, called for the support of his ally, and the assistance of his army; and he is come with the Queen, to seek, in the bosom of the French army, a shelter from the fury of the mob.

Were it possible even to think that a son was capable of possessing any right to the throne during the life of his father, has not Ferdinand renounced all his rights? And has not his renunciation been unconstrained and voluntary? This Speech will ever remain famous, as a monument of inconsistency, and of that corruption of political morals which foretels the dissolution of governments, and the downfall of thrones.

The King of Sweden, the most faithful ally of England, is overthrown—instead of supporting him, of extending to him the hand of assistance, or, at least, of averting the eye from so afflicting a spectacle, they acknowledge, and they approve, in this speech, every thing that has taken place in Sweden. They afterwards acknowledge, during the father's life, the rights of the son, who has never yet reigned.

One of the principal traits in the English character is this facility of playing with that, than which nothing more sacred exists! Gustavus IV. is dethroned, and immediately he is denied and disowned:

You say with Peter—"I know not the man whom ye speak of." Charles IV. is deposed, and you acknowledged a right in the mob to settle the throne. In a word, you call a legitimate government, and treat as such, a factious set, who style themselves Junta, and who speak in the name of Ferdinand the VII. who disowns them, and who abhors wretches, whose only wish is to ruin their country for the advantage of England, whilst the authority of the name of Ferdinand was used only by vagabonds.

We have disdained to be explicit; but since this name is uttered from the summit of the Throne of England, it will perhaps be not deemed unreasonable to place before the public, all the documents concerning this cause.

When the partizans of England had excited the commotions at Aranjuez, when King Charles, with a pistol at his breast, had been compelled to abandon his throne in favour of his son, the King and the Queen applied to the General, who commanded the French army, placed themselves under his protection, and demanded the assistance of his ally.—[Here the Moniteur has the following note:—

"In the justificatory pieces printed at "the end of these observations, will be "found, the letter in which the King of "Spain announced, the 18th of March "1808, to the emperor, that he had ac- "cepted the resignation of the Prince of "Peace. On the 20th, he wrote to the "Emperor, that he had abdicated in fa- "vour of his son, and the Emperor disco- "vered by this letter, (so different from "the preceding,) that the King had not "acted voluntarily. These two letters "will be found at No. 1, and 2; and, at No. "3, will be evidently seen, that King "Charles availed himself of the first op- "portunity to protest against his abdica- "tion. The letters of the King, the "Queen, and the ancient Queen of Etruria, "at the following numbers, prove how "much the King was terrified at the vio- "lence of the seditious, and manifest the "resentment he entertained against his "son."]

Ferdinand entered Madrid. The Emperor, in order to be nearer to the theatre of these great events, came to Bayonne.

(Moniteur—Note.)—"The Emperor re- "ceived, on the road, the letter of Prince "Ferdinand, printed afterwards at No. "—, and which was forwarded to him at "Tours, by the Chamberlain, Ferdinand "Nunez."]

The King asked to come and meet him there, and thither did his son repair also; they both proposed to take the Emperor for their judge and arbitrator; all the world knows well that King Charles and Ferdinand came to Bayonne spontaneously, and that no power of the Emperor could have caused them to have come otherwise.—Ferdinand was still at Vittoria, and in the centre of his partisans, and of his troops, when the Emperor wrote, to invite him, the letter annexed, No. ——. The Emperor proposed to King Charles, to re-establish him on his throne; but the King, overwhelmed with infirmities, his mind alarmed at the dangers which he had just experienced, and viewing with horror the conduct of his son, and the excesses committed by an ungovernable populace, preferred to enjoy peaceable days in retirement, and ceded all his rights to the Emperor Napoleon. All those who were then at Bayonne, and who have been witness to the august anger of the aged King, every time that his son has presented himself before him, will carry to posterity the impression which it has made to their minds; the arbitratory sentence could not have been mistaken; it was a subject on which any one was capable of deciding. A son armed against his father! It was the cause of all Kings: a son, surrounded by the partisans of England, and wresting the Crown from his father, because he had been the faithful ally of France. It was, besides, the cause of France! The Emperor informed the Prince of Austurias, that he was no longer to reign over Spain; that the King had ceded to him his rights; and that he wished to exercise his own rights; nevertheless, a proposal was made to him to return to Spain, and promised a safe convoy, when the Emperor declared, that he would wage war against him, with all the forces of France, to deliver Spain from the influence of the English.

(Note.)—"A letter from Prince Ferdi- "nand, written during his stay at Bay- "onne, (and printed below) evinces what "would his disposition have been towards "France, had he ascended the Spanish "throne."]

Ferdinand, in whom the reproaches of his father had caused remorse, who was dismayed at what he had seen in Spain, and who felt that nature had formed him to sit upon a tranquil throne, not to maintain his power in the midst of dreadful storms, would not re-enter Spain without

a promise from France that the French armies should be withdrawn, or placed under his orders. It was the duty of the Emperor, to make war for the maintenance of the rights of his crown, and those which had been ceded to him by Charles IV. and to destroy the projects of the partisans of England. Ferdinand preferred securing to himself a peaceful life; he adhered to his father's step, and renounced all his rights to the throne. The letters of Prince Ferdinand, annexed hereto, prove all these assertions, and it were vain to search for a single letter of his containing an assertion to the contrary.

[*Note.*—"His letters to the Emperor, "since he has resided at Valency, are also "added.—Such letters require no com-"ment."]

We know, further, that the Emperor made known to the Ambassadors of several Powers of Europe, that if Ferdinand wished to return to Spain, he was free to do so; and that he should be escorted by French troops to whatever part he should choose: but that France would immediately make war upon him, and would never suffer him to reign. But Ferdinand despises the brigands who use his name to desolate Spain; and it might even be proved, by letters from Saragossa and Seville, which the seditious endeavoured to convey to Ferdinand, but which were intercepted, that he has never had any correspondence with Spain, and has neither authorised nor approved any of the pretended governments there, which abuse his name!

King Charles has ceded to the Emperor all his rights to the throne; the Spanish Princes have also ceded to him theirs. (See the treaties printed herewith). King Joseph then is alone the King of Spain. All the efforts which the English have hitherto made to prevent his power from being recognized by all Spain, have proved abortive, and impotent. All we desire is, that, as the speech from the throne says, England may continue a contest with France single-handed, and that she may seriously engage her men and money on the Continent. But we are convinced, these protestations are merely a snare for the unfortunate Spaniards, and that the English have determined to abandon them. To fight, they must have easy successes and an immediate object.

(*Speech.*)—"His Majesty has received "the strongest assurances from the Ame-"rican Minister resident at this Court that "the United States are desirous of main-"taining friendly relations between the "two countries. This desire will be met "by a corresponding disposition on the "part of His Majesty."

(*Moniteur.*)—We scarcely know which to admire most, the pusillanimity of England towards Sweden, her irony towards Spain, or her conduct towards the United States. The latter have just rejected your Jackson—Jackson, who ever bears written in his face the name of Copenhagen, and who is so stigmatized, that every relation with him can only produce dishonour! They have laid an embargo on your vessels; they have been deaf to your intrigues, and you are become humble, pliant and mild! You consider yourselves happy that the United States have not determined to make war upon you. Whence this language? men ask one another with astonishment. It shews a pusillanimity highly worthy of the rest of the speech. There is nothing to gain by war with America, and with you every thing is done for gold. Men only fight for gain, and it is only for gold you shed your blood. Thinking men see, on the banners of your troops, in lieu of the leopards of your armories, those symbols of nobility and of chivalry, bales of sugar, of tea, and of coffee. It is for these you fight. Your commerce would reap no profit from war with the United States, and from that moment you are deaf to every insult.

(*Speech.*)—"He commands us to ex-"press how deeply he regrets the pressure "upon his subjects, which the protracted "continuance of the war renders ine-"vitable."

(*Moniteur.*)—France makes war without increasing her taxes; they have been considerably diminished, and they are diminishing every day; but yours are increasing in a dreadful progression. Be consistent: if you are obliged every year to have recourse to enormous loans to pay your deficit, how can you support a perpetual war.

(To be continued.)

LONDON:—Printed by T. C. HANSARD, Peterborough-Court, Fleet-Street
Published by R. BAGSHAW, Brydges-Street, Covent-Garden:—Sold also by J. BUDD, Pall-Mall.

COBBETT'S WEEKLY POLITICAL REGISTER.

VOL. XVII. No. 9.] LONDON, SATURDAY, MARCH 3, 1810. [Price 1s.

There is a *sinecure place*, which is, at present, held by the EARL OF BUCKINGHAMSHIRE (late Lord Hobart), which place is worth £.11,094, or, in words, *eleven thousand and ninety-four pounds*, a year. The reversion of this enormous salary, that is to say, the possession of it *after the present possessor's death*, has been obtained and secured by LORD HARDWICKE, not only for himself during his life, but, beyond that, *for the lives of his two sons*; and, this Lord Hardwicke is, as the reader will recollect, a *brother* of MR. CHARLES YORKE.

MR. CHARLES YORKE, of whom the public has, within the last twelve months, heard so much; that Mr. Charles Yorke, who, upon Mr. Wardle's opening of the Charges against our late Chieftain, solemnly declared his belief that there was a Jacobinical Conspiracy on foot against the illustrious House of Brunswick; that Mr. Charles Yorke, who, from the moment the Walcheren Inquiry began, moved the Standing Order for shutting the Debate Reporters out of the Gallery; that Mr. Charles Yorke, who, when a motion was made for Inquiry, which motion was opposed by the minister, declared that he thought it his duty to stand by the minister, because the minister had resolved to stand by the king; aye, that very Mr. Charles Yorke, has, within this week, received through the hands of that same minister, a grant, for life, of a *sinecure place*, (or place where nothing is to be done) called a Tellership of the Exchequer, worth £. 2,700 a year; that is to say, he has thus secured, for his whole lifetime, *two thousand seven hundred pounds a year* to be paid to him out of the taxes, raised upon the people of England.

SUMMARY OF POLITICS.

MR. YORKE.——My motto speaks so plainly, and says so nearly all that is necessary to be said about this man and his sinecure, that I can hardly bring myself to say another word upon the subject, though I shall certainly, I think, repeat the motto eight or nine times a year as long as I have the means of repeating it at all.—— On the 20th of last month some notice was taken of this sinecure, in the House of Commons. In debating about the pension of two thousand a year for Baron Douro, "Sir JOHN NEWPORT said that in consequence of the late melancholy fate of a "much respected and justly-valued friend, "an occasion had presented itself to ministers *amply to remunerate the services of "Lord Wellington*, without making any addition to the public burthens *(Hear! hear!)*. "No sooner, however, had the lamented "fate of his regretted friend (Mr. Eden) "been ascertained, than the Tellership of "the Exchequer was conferred upon a "person, of whose services Ministers "might have had such an opinion as to "think that if he fought no battles "abroad, *he had at least fought some at "home*. He thought that the Bill should "not be now pressed, if it was only in "common respect to the Petition of so "respectable a body as the Corporation "of the City of London—a Petition that "put the question in the clearest and simplest point of view. He admitted the "*gallantry* of Lord Wellington, but though "this a question not involving merely the "consideration of his merits. He regretted that the unquestioned and unquestionable merits of a lamented officer "had not been more attended to. He "thought that the *glorious services* of the "*immortal Hero of Corunna* had not yet "been answered by the public gratitude "as they ought to have been."——I cannot let this go, without expressing my dissent to all of it, except that passage, which contains a disapproval of giving the sinecure to Mr. Yorke. In that respect I perfectly agree with Sir John Newport; but, in no other part of his speech. I would not have given Baron Douro and Viscount Talavera a sixpence a year; and, of course, I would not have given him 2,700*l.* under the name of a Teller of the Exchequer. It is my opinion, for reasons repeatedly given, that he deserves no money at all out of our taxes; nay, no more than Mr. YORKE does; and, why, if that be the case, should he have any of it? I agree with the Citizens of London; that the grant of a pension to him at all is a waste, a pure waste, of the public money; and, so thinking, I, of course, should have objected to the giving of the sinecure to him, for, in both cases, the money comes out of the public purse.——Nor do I concur in Sir John Newport's opinion relative to Sir John Moore's campaign. I know of no "*glorious* services" that Sir John Moore ever performed; and I do think, that it is a monstrous exaggeration to call him an "*immortal hero*." He was penned up at Corunna, and fought for his life and li-

berty. It was not a battle of his choice. He would, and he *ought*, to have escaped without fighting, if he could. That he was *blameless* is not, after all, quite clear to me, nor, I believe, to any unprejudiced man; but, if we acquit him of blame, let us not trumpet him forth as meriting the *highest of praise*.——I have observed, in several of the speeches of members on the same side with Sir John Newport, endeavours, as they appear to me, to prepare the way for some *pension, or grant of some sort*, to the *relations* of Sir John Moore. And, for *what*, I should be glad to know? Never, until these days, was such a proposition, in such a case, made or thought of. It really would seem, that the two sides of the House are like the man and his wife in the fable, who, purely for the sake of mortifying one another, gave away the whole of their dinner to a set of beggars, there being, however, this distinctive circumstance to notice; namely; that the man and wife gave away *what belonged to themselves*.——Each side must have its *heroes*. To hear the debates and the thanks and the messages, one would really be tempted to suppose, that our armies had just returned from the conquest of the world; and, surely, no human being would imagine that, while all this high-flown language is in use, we are seriously considering, *how* we shall be able to defend even our own fire-sides against the attacks of an enemy whom our forefathers held in contempt.—— Mr. Henry Martin said upon the same occasion, "that the very important and "pressing observation made by the Right "Hon. Baronet, on the filling up the va- "cancy of the Tellership of the Exche- "quer, had not been thought *worthy of* "*some reply* from any of his Majesty's Mi- "nisters. He felt satisfied, that if Mi- "nisters had advised his Majesty to confer "that place upon Lord Wellington, *there* "*was not a man in that House who would* "*have questioned the propriety of the appoint-* "*ment*. With respect to the Gentleman "upon whom that appointment had fallen, "he believed that his services in behalf "of the public *were yet to be made known*." ——Now, in saying, that there was *not a man in the House*, who would have questioned the propriety for giving 2,700*l.* a year, *for life*, to Viscount Talavera de la Reyna, I have not the smallest doubt, that Mr. Martin was mistaken; and, indeed, I know he was.——It is very true, that "the services of Mr. Yorke, in behalf of "the public, *are yet to be made known*;" but, what services, in behalf of the public, had Mr. Yorke's *predecessor* ever performed? "Reply!" What difficulty will the minister have in making a reply to any observations, made upon the bestowing of this fat place? What reply is necessary to any one, who is for keeping up the sinecure system? Mr. Perceval has more than sufficient materials for a reply, at any time when he has a mind to make it. To those, indeed, who hold, that this dreadful system of sinecures ought to be abolished: to such persons he would find it difficult to *answer*, except in some form of legal or parliamentary proceeding; but, to those who are for maintaining the system of sinecures, he has only to tell them, that *they* have done the like, and would, if they could, do the like again; for the truth of which assertion the whole nation would give him credit.

Army Estimates,—*Mr. Wardle*,—*Mr. Huskisson*,—*Foreign Troops* and *Lord Mahon*.——The reader will not have forgotten, that, at the close of the last session of parliament, Mr. Wardle, being thereunto urged by Messrs. Tierney and Huskisson, brought forward a detail of the *savings*, which, he asserted, might be made. The general answer to his statement was, that it was easy enough to save money by *disbanding soldiers* and *putting down establishments*, and *taking away pensions and places*; but that none of these ought to take place, and, of course, that the plan of savings was all moonshine. Mr. Huskisson was the official answerer, and though I have not his speech now before me, I am almost certain, that (albeit not of the liveliest turn) he did actually attempt to crack something like jokes at the idea of saving money in war time by *the reducing of military corps*. He attempted to turn this into ridicule; and, indeed, there was no part of Mr. Wardle's statement; none of his propositions; none of his sentiments, of which he did not express his disapprobation; but the main burden of his ridicule was, the proposition of Mr. Wardle to *reduce part of our force during war*.——Well, what has happened *now*? Why, the Secretary at War has come forward with an Estimate, in which some, at least, of Mr. Wardle's propositions have been adopted. Mr. Wardle proposed to reduce the *Household troops*, the *dragoon guards*, and *dragoons*, so as to produce a saving of 413,000*l.* a year. He also

stated that the *Waggon Train* ought to be reduced. He mentioned the *Manx Fencibles*. But, I must not leave this matter to be *doubted* about. I must insert his *list* of proposed savings, from his speech, as it was afterwards correctly printed. That list was as follows :

RECAPITULATION OF SAVINGS ON

	£.		
Household troops, two regiments	73,317	0	0
Dragoon guards, dragoons, and light ditto	340,000	0	0
Foreign corps	1,005,017	0	0
Subsidy annually paid Count Meuron for continuing his regiment in his Majesty's service	3,000	0	0
Militia of the United Kingdom	300,000	0	0
Staff of fifteen small Militia corps reduced	10,000	0	0
Local Militia	700,000	0	0
Volunteers of the United Kingdom	1,000,000	0	0
Royal Waggon Train	48,993	0	0
Manx Fencibles	24,184	0	0
Staff of the Army	200,000	0	0
Recruiting Staff, Levies and Bounties	200,000	0	0
Army Agency	51,075	0	0
War Office	24,000	0	0
Pay Office	24,000	0	0
Contract horses	299,083	0	0
Fortifications and repairs at home	500,000	0	0
Medical department and annual loss of men	200,000	0	0
Commissariat	500,000	0	0
Barracks	350,000	0	0
Army clothing	270,000	0	0
On the collection of the revenue in Great Britain	1,051,930	0	0
On ditto ditto in Ireland	588,367	0	0
Commissioners and Auditors of Public Accounts	70,000	0	0
Bank, the sum charged for the Management of the National Debt	210,591	0	0
Pensions and Offices executed by deputy	200,000	0	0
Bounties	150,000	0	0
Colonies	500,000	0	0
Catholic Emancipation	2,000,000	0	0
	£. 10,693,563	0	0
Expenditure of the navy for the year ending Jan. 5, 1809, 17,467,892*l.* one third of which is	5,822,630	13	4
Total Savings	£. 16,516,193	13	4

Now, reader, it is hardly necessary to remind you how Mr. Wardle was abused for this; what a noise the partizans of the ministers made about the *answer* of Mr. Huskisson, who, not only denied that any such savings could be made, but who ridiculed, or attempted to ridicule, *the idea of saving money by reducing the military force in time of war*. The following extract from the speech of Lord Palmerston, now Secretary at War, on the 26th of February, will shew, not that any *real* saving is about to take place (against any belief of which the reader will do well to guard himself) but, that enough is to be done to convince us that Mr. Wardle's propositions were *not ridiculous*, and that his and our adversaries think it good policy *to do something*, with a view of "stopping his mouth" a little. ——There was, he said, "a *reduction* in consequence of the abolition of the agency of cavalry men. The "next article was that of *the Cavalry*. "Here there was a reduction caused by "the dismounting of twenty men in each "troop. Under the head of *Household "Troops* there was a decrease in numbers "of 720 men; and in expence of 41,249*l.* "Under the head of *Dragoon and Dragoon "Guards*, there was a decrease in numbers "of 486 men, and in expence of 262,230*l.* "This great saving was owing to an arrangement by which Troop Quarter-"masters were discontinued, and Serjeant-"majors substituted in their place. Under the head of the *unnumbered corps*, "there was a decrease in numbers of "1,237 men, and an expence of 49,721*l.* "Under the head of *Garrison Battalions*, "there was a reduction of two Battalions, "and a saving of 39,317*l.* Under the "head of the *Royal Waggon Train*, which "consisted originally of 12 troops, it "would be found that five of those twelve "had been discontinued; for, however "useful in foreign service, the establishment was thought to be unnecessarily "large while remaining at home; under "this head, of the Royal Waggon Train, "there would be found to be a saving of "23,433*l.* The next head was that of the "*Barrack Artificers at Gibraltar*, but that "was not in this year's items. Under "the head of *Manx Fencibles*, there was a "reduction of 347 men. Under these "two last heads would be found a saving "in the one of 13,854*l.* and in the other "of 4,473*l.*"——The reader will take care not to suppose, that any saving will, upon the whole, take place; for, there *is* an increase in the *German Army* to a very considerable amount, which army goes on regularly and *quietly* increasing every year and all the year long. The spring from which it is fed, appears to be perennial. But, for more particulars about this army, I must refer the reader to Mr. Wardle's Speech, a short report of which (copied from the Statesman) will be found below.——This statement of Lord Pal-

merston is, however, nothing, compared to *Mr. Huskisson's recantation*, which is the most curious thing that has happened for a long time. It would seem, that a new sort of language, an entirely *new tone*, is now to be adopted, in speaking of the public resources and expenditure. It would seem, that it is no longer thought prudent, to laugh in our faces, when we cry out against adding to the weight of our already intolerable burdens.——Now let us hear Mr. Huskisson. As containing *his* opinions, the speech is nothing. Straws are of little consequence in themselves; but, they serve to shew which way the wind or the current is setting.——You will hardly believe your eyes, reader; but, it is Mr. Huskisson's speech that is now before you.——"Mr. HUSKISSON felt "disappointed at the Estimates now sub- "mitted to the House, every item of "which ought to have been fixed with re- "gard to the *strictest economy*. A *consi- "derable diminution in our expenditure* was "essential, or rather was indispensible *to "the safety of the country*. This could only "be effected by revision and retrench- "ment. In order to shew the necessity "which called for economy, the hon. "Member stated the growth of our reve- "nue—the net proceeds of its produce "was, in 1782, only ten millions; by "the year 1792, notwithstanding the ut- "most industry of Mr. Pitt to promote re- "trenchment, it rose to 16 millions; and, "in the year 1809, it amounted to 60 "millions. Thus, in the course of 27 "years, our revenue had advanced no less "than six-fold. With this statement be- "fore the Committee, he was sure, that "every Gentleman must be satisfied of "the propriety of devising *every possible "means to reduce our expenditure*. It was "obvious, that there must be *a limit to "taxation*, and the policy of considering "this subject in due time was forcibly "urged by the system of the enemy, "whose hostility was principally aimed "at our finances. The objects and cha- "racter of our enemy, indeed, rendering "the restoration of peace so problemati- "cal, it peculiarly behoved us so to hus- "band our resources as to *be prepared "for a long period of war*. He was "aware that it might be said, that this "was not a time at which it was pro- "per to dwell upon the difficulties of the "country. But *he differed from those who "might advance that assertion*. For in his "opinion the wisest way was *fully to exhi- "bit the situation of the country*, in order "that adequate provision might be rea- "sonably made to meet the dangers which "menaced it. The first objects to which "he wished to direct the attention of the "Committee, with a view to saving, *were the "Army and Navy*. In both these depart- "ments, he conceived that *a considerable "retrenchment might be made. Almost every "head of expence appeared to him excessive*. "We had a much larger naval force now, "than when the enemy had a naval power "to encounter, and our army was larger "than any immediate probable necessity "called for—larger considerably than at "the time when invasion was very gene- "rally expected. A reduction in the "army was the more safe in his mind, as "we had so numerous a body of Local "Militia; and he particularly recom- "mended *a diminution of the Cavalry*, the "*Staff*, and the *Waggon Train*. Among "many other objectionable establishments, "the hon. gentleman referred to the *Manx "Corps* and the *Newfoundland Fencibles*, "both of which he conceived to be quite "unnecessary. The great fault in our ex- "penditure appeared to him to proceed "from the want of a sufficient power of "superintendance over the several de- "partments. Blame he meant not to at- "tribute to any individual, and least of all "to his right hon. friend at the head of "the Treasury. He was certain that if "his right hon. friend saw a fault, no man "would be more ready to correct it. "But *there was a radical fault in the general "arrangement of expenditure*, which often "rendered it difficult, if not impossible, "to discover those evils which could only "be corrected by the establishment of the "controuling power he alluded to. He "might be asked, why he did not propose "these retrenchments earlier? but to that "he could answer, that he had frequently "pointed out the same topics for the con- "sideration of these with whom he had "the honour to act while in office. In- "deed, he had never ceased to press those "points upon the attention of those who "had the power to effect the end he had "in view, and he was naturally anxious "that the reform he proposed should ori- "ginate with the executive power. The "statement which he had now felt it his "duty to submit, would, he trusted, be at- "tributed to the real motive which urged "him to stand forward; *a desire to serve his "country*; to secure to us *the means of con- "tending against Buonaparté*, who had him-

"self calculated upon living thirty years, "during which there was too much reason "to apprehend that he would continue the "inveterate and active foe of Great Bri- "tain."——Now, reader, how many times have *I* urged the necessity of Œconomy, as the only means of enabling us to obtain any thing like a safe peace? In short do you find, in this speech of Mr. Huskisson, one new idea? He has now merely repeated what I have written and published fifty times over; and, what is, in principle as well as in detail, in direct opposition to his speech, made, last year, *when he was in office.*——But, is it not rather odd, that while this gentleman was insisting, that it was "proper to devise every "*possible* means of reducing our expendi- "ture;" is it not rather odd, that, while he was racking his mind in this way, he never happened to hit upon the following items?

Pension, yearly to WILLIAM HUSKISSON - - - - - - -	£1,200
Profits *(acknowledged)* to WILLIAM HUSKISSON as Colonial Agent for Ceylon - - -	700
	£1,900

Besides a Pension to Mrs. EMILY HUSKISSON, the wife of the said William Huskisson, and the particulars of which I have not now at hand; but I believe it to be 500 *l.* a year.

Now, is it not odd, that the Gentleman, who appears to have been, all of a sudden, inspired with a love of economy, did not think of *these items?* He says, that we ought to "devise all *possible* means of reducing our expenditure;" and, surely, it is *possible* to take off these items. I know nothing that Mr. Huskisson has done for the public, that he should be thus fastened upon us for life, and that his wife also should be fastened upon us. He has been, for about 12 or 14 years a clerk, and a secretary; but, has he not been *well paid?* He has never had less than about two thousand pounds a year, and sometimes five, or, perhaps, six or seven; for, after all, what do we know about the emoluments arising from his offices? We know, however, that his *bare salaries* have most amply paid him, not only for any services that he has rendered the public, but for any services, which he has *the capacity* to render the public.——LORD L. GOWER, who was Secretary at War some months ago, joined with Mr. Huskisson upon this occasion. In the short report, that is given of his speech, there are some very curious things.——"Lord G. L. "Gower felt disappointed at the statement "he had heard. He had trusted that the "*burdens of the public,* as connected with "Army Estimates, would have been allevi- "ated to a *far greater degree.* He did "not think the items had been looked into "with a sufficiently *scrutinizing eye.* He "was of opinion that the practice of buy- "ing for the cavalry, horses at two years "old, by which means the expence of "keeping them till they were of use, "often exceeded 100*l.* ought to be done "away. The *Waggon Train* too, instead "of being reduced, *ought to be done away* "*entirely.* The *Manx corps* was of *no use;* "the officers followed other avocations, "and the privates were labourers; yet "they had full pay, as if they were effi- "cient regular troops. The City Militia, "and the Tower Hamlets, whose services "were extremely limited, he thought "were not of real utility. For the home "district there were two Generals—the "*Duke of Cambridge* and *Lord Heathfield,* "who had 4,000*l.* or 5,000*l.* a year—*for* "*looking after* 2,400 *men.* There was an- "other Honourable General in that House "who he was surprized was not *ashamed* "*to hold his district;* and in Scotland, to "11,000 men there were *eleven Generals.* "All these things, he thought, *required to* "*be looked into*"——Well said, my Lord G. L. Gower! Just in this style did Mr. Wardle talk last year, when he was jeered at by Mr. Tierney and others, and when the ministerial newspapers called him every thing that was contemptible and wicked.——And, so, my lord, you are for lopping off the Waggon Train, the "*Royal* Waggon Train," of which our old friend DIGBY HAMILTON, whom Mr. Perceval and Mr. Adam charged to tell Sandon to be sure not to destroy the famous Note about Tonyn; your lordship really is for lopping off, lopping completely off, our friend Digby's "Royal Waggon Train!" So was Mr. Wardle. And he was for lopping off the Manx Corps, too, which he, too, said was of "*no use;*" but for saying which he was most shamefully abused by the prints under the influence of the ministry, to which you belonged.——Yes, my lord, it is, indeed, a pretty thing that a people, weighed to the earth with taxes, should have to pay *two Generals,* at the rate of 4,000, or

5,000*l.* a year, for looking after 2,400 men. But, my lord, was not this so, *last* year as well as this year? Was not this king's son in the same situation when you and Mr. Huskisson and Mr. Canning were in office? What you say now is very good; very good indeed; but, why was not the abuse, you here complain of, reformed *while you were in office?* Or, at least, why was it not *then* stated to the House of Commons?——That the Duke of Cambridge and Lord Heathfield should swallow up 4,000, or 5,000 pounds a year, as a compensation for looking after 2,400 men, that such a thing should have been tolerated is, to be sure, enough to excite indignation in the breast of the most patient of mortals; but, still, I do not think, that those 4 or 5,000 pounds a year are so badly bestowed, so shamefully misapplied as the pensions to Mr. Huskisson and his Wife, who, *for their whole lives*, are fastened upon the purses of the people of England. There may be some hope (though a very faint one, perhaps) of our being relieved from this military payment to the Duke of Cambridge and Lord Heathfield; but, from the pensions to Mr. and Mrs. Huskisson there is no chance of relief for thirty or forty years, at the soonest.——These are the things that sting deep. Between the receivers of our money, in this way, without services rendered us or losses sustained for our sake; between such persons and those who wish for a reform of abuses, there is, there will be, and there can be, no compromise. It is in vain to expect it; and Mr. Huskisson may be assured, that we shall judge for ourselves as to the motives, which induce persons in his situation to stand forward with professions in favour of economy.——I beg the reader, however, to note well and to bear in mind, this talk about economy; so *new* in the quarter whence it comes, and so unexpected too. I have been, for years past, calling for a reduction of expence, in order that we might be enabled to continue the war, until we could obtain a safe peace; and now, all of a sudden, *Mr. Huskisson* and even *Old George Rose* say the same thing! Let not the public be deceived, however: they will find, under the *present system*, no alleviation of their taxes; but, on the contrary, will find those taxes *increase*. The *system itself* is bad. There wants a *thorough change in the system*; but, that change will never take place, it never can take place, without a reform of the Commons' House of Parliament, and the consequent annihilation of that accursed thing, that bane of the nation, called INFLUENCE, which has been the chief, if not the only, cause, of all our calamities and disgraces, and which, if it be not destroyed, will, as sure as Mr. Huskisson has a pension, destroy the king's throne as well as the liberties of the people.——Mr. PETER MOORE reminded the new-light economists of the discountenance, which they had, last session, shown with respect to the statements of Mr. Wardle; and, after a few words of little consequence from Mr. Perceval, MR. WARDLE himself rose, and, in a speech of some length, of which I here insert the best report I can find, clearly showed the House, that all the base means, which have been resorted to for the purpose of silencing him, together with all the baser aid which *some* of the *outs* have given to those means, have not secured their object. ——"COLONEL WARDLE observed, that, al-
" though there were many points on which
" he did not feel it necessary to dwell in
" the present discussion, he could not re-
" frain from expressing his utter astonish-
" ment at finding, after the extraordinary
" coolness with which the suggestions he
" had the honour of making to the House
" last Session, on the subject of retrench-
" ment, had been received, that the very
" points on which he had then touched
" had now been taken up by the gentle-
" men opposite to him. For this he thank-
" ed them most kindly, as he was sure
" the country would also do. And he
" confidently trusted, that the Committee
" had now shewn that sort of mind and
" decided spirit which would justify the
" country in the hope and expectation that
" *something* in the way of retrenchment
" would be done—nothing could give him
" greater pleasure than to see his majes-
" ty's ministers beginning to do that
" which was absolutely essential to the
" salvation—to the very existence of the
" country. He rejoiced extremely in the
" conviction apparently felt by those who,
" on a former occasion, had refused to
" listen to his suggestions; and as his sole
" object was the good of his country, he
" should not be fastidious on the score of
" the instruments by which that object,
" of which he should never relinquish the
" pursuit, was obtained. With respect
" to the Local Militia, he should not at that
" time make any observation; but on the
" subject of the Waggon Train, he feared

"that the Committee were not aware of "the enormous expence attendant on that "unprofitable and useless establishment.— "He had not yet been able to obtain the "papers relating to that branch of service, "for which he had moved some time ago; "otherwise he should at that moment have "been able to prove to the committee "that the estimate now before them, of "the probable expenditure of the waggon "train, fell greatly short, nay that it pro- "ved but a small portion of the real ex- "penditure of that branch of service; but "as the inutility of this wasteful corps ap- "peared to be admitted by all sides, he "trusted that the public would very "speedily have to congratulate them- "selves on its entire abolition. *The com- "mands with which foreign Generals had been "entrusted in this country, and particularly in "the county of Essex, he could not but deem "highly reprehensible*—such was not for- "merly the usage in this country; and he "verily believed, that even but a very "few years ago no minister could have "been found so daring, as to have appear- "ed in that House after having sanctioned "a measure so repugnant to the feelings "of Britons, and to the general spirit of "the constitution. The introduction of "foreign troops into this country, on the "permanent footing which they seemed to "have acquired, was a novel measure, "evidently arising out of an unconstitu- "tional principle. The expenditure of "the country had now arrived at that "point, when it became necessary to exa- "mine every channel of expence, how- "ever minute; for it would not serve as "an answer to say, that this object was "trifling—that was inconsiderable—the "aggregate of minute waste would, he "was certain, be found to swell into a pro- "digious bulk. There was, however, one "article of expenditure, to which the im- "putation of minuteness could not be ap- "plied—he meant the *army clothing*, in the "supply of which, it was absolutely ne- "cessary that some reform, and that too, "without delay, should take place. In "the last year, government had given an "*advance* of 5*s.* 6*d.* on every suit made by "private contract more than what was paid "where the contract was open to public "competition!—and he was certain that "Mr. Courtenay's supply would be found "to have been as good, at least, as that "of Mr. Pearce. Why was the public "to pay 75,000*l.* more than was neces- "sary, and more than the amount for "which the supply could be furnished? "That was the fact, and he pledged him- "self to prove it! (*Hear, hear!*) If the "supply of accoutrements and that of ca- "valry appointments were brought to "open contract, he had not the smallest "doubt that a saving would accrue at "which the country would be astonished. "He was fully prepared on this subject to "give ample proof in support of his asser- "tion, and would certainly bring forward "the subject, unless his majesty's ministers "would render that unnecessary, by them- "selves undertaking the investigation of "a subject of expenditure so highly im- "portant. He had some time ago press- "ed on the House the subject of the price "of *great coats*, with which the army was "supplied—at that time the supply was at "the rate of 16*s.* 6*d.* per coat.—Ministers "had in that instance listened to his sug- "gestion, and the *contract was thrown open.* "What had been the consequence? coats "of fully equal, nay, even superior qua- "lity, as he should afterwards shew, had "subsequently been delivered to the "army at only 9*s.* per coat, a reduction of "between 50 and 60 per cent. (*Hear, "hear!*) This was a *fact*, beyond the "power of dispute, and sorry he was, that "in stating that reduction, he could not "there stop—but there was yet remain- "ing what, although he would not directly "term it a job, something so very extra- "ordinary, that he would not pass it over "in silence. For those very coats which "could now be afforded at the sum of nine "shillings, there was charged for the pro- "cess by which they are supposed to be "rendered *water proof*—how much?—why "no less than *half a crown*, almost one- "third of the original cost, when it is no- "torious that the process can be as com- "pletely effected *for sixpence*? (*Hear, "hear!*) He had said that the coats thus "supplied at 9*s.* were superior to those for "which 16*s.* 6*d.* had been formerly paid, "in proof of which, he need only state "that the coats at 16*s.* 6*d.* had neither "linings nor pockets, while those at 9*s.* "have both, and are four inches longer! "(*Hear, hear!*) It might be thought by "some Gentlemen that he had dwelt with "too much minuteness on this subject— "he had been minute—he had, at the "same time, been minutely accurate, and "his object was to impress on the minds "of the Committee the imperious ne- "cessity of military retrenchment in ge- "neral—for he could assure them that

" when they come to examine other ar-
" ticles of military expenditure, with equal
" minuteness, they would find the con-
" tract for great coats an example, and
" that not an exaggerated one, of our
" general military expenditure——the
" same principle of expenditure obtained
" throughout the system, and the same
" system of retrenchment would be found
" correctly to apply to that impor-
" tant branch of national expenditure.
" *(Hear, hear!)* In the estimate of the ex-
" penditure in the office of the Secretary
" at War, he observed an excess of
" 10,872*l.* The Noble Lord had told
" them that there had been no change in
" the War Office, but that different persons
" had been selected to accelerate the com-
" pletion of the complicated accounts of
" that office. Now those very persons
" had been at work for years, and not-
" withstanding that, the accounts were
" yet in the utmost confusion—nothing
" had been done towards reducing them
" to order; and yet, in 1808, there were
" 113 efficient clerks in the War Office!
" Mismanagement there certainly must
" be somewhere, and he verily believed
" that not one-fifth of the regimental ac-
" counts were got through in any one
" year. He was extremely sorry to see
" also from the estimates, that the num-
" bers of the Foreign Corps in our ser-
" vice increase; this was a principle
" and a practice which he should ever
" oppose. No less a sum than 30,000*l.*
" appeared on the face of the Estimates,
" *for recruiting the Foreign Corps.* That
" such a sum should be required for such
" a purpose, excited alike his sorrow and
" his indignation! but we could not now
" go into *Spain and recruit from Dupont's*
" *army.* No fewer than 800 of Dupont's
" army, who had been made prisoners,
" were *taken out of Spanish jails*, and incor-
" porated into foreign corps in our service;
" these were some of the recruits with
" which our foreign corps were sup-
" plied. He had a very strong desire
" to know whether the *Duke of Bruns-*
" *wick's corps*, that has so recently been
" taken into our pay, had received any
" thing like bounty or recruiting mo-
" ney—such was the rumour, which if
" true, was truly extraordinary—and he
" begged leave to put it to the Noble
" Lord whether such was the fact. If
" it were so, he should think it a very
" sufficient reason for putting an end at
" once to this species of recruiting. There
" was another item in the estimate, which
" to him appeared not less extraordi-
" nary; but, perhaps, it was susceptible
" of explanation—as last year the estimate
" of the *foreign depôt* was 15,000*l.*; in this
" year it was 20,000*l.* an excess of 5,000*l*;
" while the whole expence of the British
" depot, including the cavalry, was esti-
" mated at only 13,000*l.*!— [*Here several*
" *of the members became impatient for the ques-*
" *tion.*] Gentlemen might call out Ques-
" tion! Question! but that would only
" protract the debate, for he was deter-
" mined to do his duty. On the head of
" Barracks in Ireland, there was a grant
" of 135,500*l.* for the erection of new
" Barracks.—Would the Committee with-
" out document or information grant such
" a sum? He had on a former occasion
" stated, that there were already several
" very excellent Barracks in Ireland un-
" occupied, and yet 135,500*l.* was asked
" for building more Barracks! *(hear, hear!)*
" and this too, at the very time, when the
" right honourable gentleman, (Mr. Rose)
" in his pamphlet, having just discovered
" that this barrack system is so expensive
" —acknowledges himself to have been
" deceived in it!—*(Hear, hear, hear!)*—
" He trusted, however, that the Commit-
" tee would not consent to throw away
" the public money in this manner.—
" There was but one more point on which
" he should trouble the Committee.——
" The different regiments were all calcu-
" lated at their full establishments; but
" on what ground did they vote away the
" public money? Was it possible that the
" whole of the money demanded could
" be wanted? Not one-third of it. The
" second battalions of many regiments
" were composed of boys, the pay to
" whom was nine-pence; and yet these
" estimates, on which they were called
" upon to vote away the public money,
" made no distinction, but classed them all
" as men at a shilling. He anxiously trust-
" ed that the Committee would pause; that
" they would make a stand ere they
" thus lavishly voted away sums, in his
" opinion, so greatly exceeding the ne-
" cessity of the service. It was his in-
" tention to have moved, that the Esti-
" mates be referred to a Select Commit-
" tee; in that he should not, however,
" persevere; but he would maintain, that
" were a minute examination of the
" sums actually required for the service of
" the year to be instituted, the Estimate
" before the Committee would have been

reduced at least two, or perhaps three "millions. He trusted that after what he "had stated, something decisive would be "attempted by his majesty's ministers on "the different objects of retrenchment "which he had pointed out; but if, un-"happily he should be disappointed in "that hope and expectation, he should "certainly feel it his duty to bring for-"ward so important a subject by some "specific motion." —— Upon the subject of the *German Troops*, the Honourable House, or some part of it, at least, did, it seems, grow somewhat *impatient*; but, Mr. WARDLE laudably persevered in uttering what he had to say. ——The *bounty* to the Duke of Brunswick's people is a very curious thing indeed. LORD PALMERSTON confessed, that they did receive a bounty of *four guineas* a man, but said that *3l. 17s.* of it was to be laid out upon *necessaries*. I care not how it has been expended. All I wanted to know, and all I want the people of England to know, is that *four guineas a man*, besides all the enormous expences which must have attended their bringing over, *is to be paid* to these Germans, or has been paid to them, out of the taxes raised upon this nation!——Let it be well observed, too, that, while we are dismounting *English* horse and reducing other *English* corps, so far from there being any reduction in the *German* Legion or any of its parts, that part of the army has been *augmented*.——*Why*, if reduction could be made at all, was it not made amongst these *Germans?* Why were they to remain untouched? Why not dismount some of these *Germans?* I should be very glad to know the *reason* of this? Mr. Huskisson tells us, that *we may reduce part of our army*. Well, then, shall we not begin with these *Germans?* At any rate, shall we *augment* them, while we are *reducing* our *native* troops? If this does not set people to thinking a little, it may be fairly presumed, I think, that they are past the time for thought!——Look, reader, at Mr. Wardle's statement, about the *recruiting establishments*. There you see, that the recruiting establishment for the *Foreign Troops* costs one fourth *more* than the recruiting establishment for the *whole British Army*. Will not this open men's eyes? ——The fact, stated by Mr. Wardle, respecting the enlisting of men, out of Spanish jails, who were taken in DUPONT's army, is eminently worthy of public attention. These are now, I suppose, amongst the *defenders of England!* What we may come to, at last, it is quite impossible even to guess at.——There are, however, persons, who seem very well satisfied with this state of things; or, at least so it would appear from the Speech said to have been made upon this occasion by LORD MAHON. I take it from the Morning Chronicle of the 27th of February.—— "Lord Mahon contended that no *practical* "grievance accrued from the employ-"ment of *foreign troops*. It was a *theo-"retic complaint*, and calculated to produce "as much delusion as another question, "upon which much clamour was excited "—he meant *Parliamentary Reform*. Much "was said about *good old times*, and of "our *ancestors*; but when such appeals "were made for such purposes, he was "almost inclined to wish that we *had no "ancestors at all*." This is precisely the language, held by Mr. Windham last session, upon the subject of *selling and buying seats in parliament*, which he said was no *practical* grievance, and the complaint against which was merely *theoretical*. But, the worst of it is, that, while we are answered in this manner, while we are told, that these old notions are mere theories, and are not expected to be of any *practical* utility, those who tell us so call us *innovators*; and, if we want any old inveterate abuse removed, they tell us that it is better to let the wound remain than to risk the existence of the whole carcase. When, for instance, we say, that it is a shame, that such an office as *Teller of the Exchequer* should exist, now that the *use* of it is totally done away, they say, "no, no; it is dangerous "to meddle with *ancient* things, with things "long-established, and having about them "the venerable marks of the lore of our "ancestors;" and, however much my lord MAHON may wish to get rid of the memory of our ancestors, I much question if he be so eager to get rid of his office of SURVEYOR OF GREEN WAX, or his other office of KEEPER OF RECORDS IN BIRMINGHAM TOWER, which offices were created by our ancestors, and for which offices he now pockets out of the taxes raised upon the people, SIX HUNDRED AND NINETY ONE POUNDS A YEAR. Surely, he will say, that those were indeed and indeed "*good old times*," when these nice convenient offices were created? ——For the present I shall leave the *Surveyor of Green Wax* to side with the *Clerk of the Irons* and the *Teller of the Exchequer*; but, I shall return to the subject very soon, and, I have but little doubt of being able

to show, that the Surveyor has trodden upon very slippery ground.——It would be wrong to dismiss this article, without cautioning the reader to beware of any delusive hope of a retrenchment in the public expenditure. He should never believe in any thing of the sort, till he *knows* that some *tax is taken off*. What a folly would it be in any man to suppose, that he had reduced the expences of his family, *if he were still called on for the usual sum of money to defray those expences?* What is it to any man, whether his servants waste his means by sacking them themselves or by giving them to others? So that his means are taken from him to be given to others, what matters it in what way they go?——When we see a *tax taken off*, then let us believe, that the national expences are about to be reduced; but not one moment before.

LIBERTY OF THE PRESS. ——To MR. PERRY, proprietor of the *Morning Chronicle*, the whole account of whose Trial, with the names of the JURORS, will be found below, the public owe infinite obligation. His Defence, as will be seen, discovered very great ability; but, what I am most pleased with, next after the righteous *verdict*, is, that Mr. Perry took the Defence upon *himself*, and thereby insured justice to his cause.——I see, that the report of the Trial is to be published in a pamphlet; and I trust it will be universally read.

WM. COBBETT.

Botley, 1st March, 1810.

*** I wish to state, in reference to the Note at page 275 of this volume, that Mr. Knight's offer to proceed to Walcheren was made on the 28th of August, the day after Sir Lucas Pepys, (the person whom he thought the fittest for the service,) had declined; and that the notification to Mr. Knight, that another person was appointed for the service, was not dated till the 30th.

COURT OF KING'S BENCH, FEB. 24.

Before Lord Ellenborough and a Special Jury.

LIBEL.

THE KING V. LAMBERT AND ANOTHER.

The following were the names of the Jury sworn:—

William Lewis, Esq.	Henry Woodgate, Esq.
Charles Jones, Esq.	
James Heath, Esq.	Talesmen.
Thomas Jeffries, Esq.	Mr. John Horsman.
Thomas Wright, Esq.	Mr. John Brown.
George Parkinson, Esq.	Mr. Thomas Swift.
John Irwin, Esq.	Mr. James Agnes.

Mr. RICHARDSON opened the pleadings in this case, which was an Information for a Libel on the person of his Majesty.

The ATTORNEY-GENERAL followed on the same side. He had felt it his duty to file an Information in this case against Mr. Lambert, the Printer and Publisher, and Mr. Perry, the Proprietor, of *The Morning Chronicle*, for a Paragraph which appeared in that Paper, published on the 2d of October last, containing a Libel against the person of his Majesty. As it was not unusual to treat all efforts to check publications of this kind as unjust attempts to break in upon the Liberty of the Press, he begged leave to say a few words on this point. A free, full, and open discussion of every measure connected with the public affairs of the country, and into the conduct and measures of Government, he was far from refusing to the conductors of the public prints. An attempt to controul the free exercise of this right, he should admit, would be improper and unjust. On that liberty some of our best privileges depended. It had been instrumental, in former days, in establishing and securing our free constitution; and it might, when properly directed, be the means of preserving to us the same invaluable blessing in time to come. It was not for any discussion of, or animadversions upon the measures of Government, that the present Information was brought. He admitted that a free discussion of such subjects, and generally of all fair subjects, should be allowed; and even though, in the exercise of this right, a person should allow himself to be carried beyond the bounds of discretion, he should be backward to bring such a case under the cognizance of a Jury. Those who knew his practice would do him the justice to say, that he never took advantage of any case of this kind, where it could be supposed to have proceeded only from indiscretion or inadvertency. But, as on the one hand, there should be a full and free discussion of every public measure, if conducted with decency, and confined within proper bounds; so, on the other, it was necessary that decorum should not be entirely violated, that due regard for the relations between the Sovereign and his people should be observed; and, above all things, it was essential that it should not be in the power of any man to tell the public that there were blessings which they might enjoy, but which were withheld from them by their Sovereign, and to the possession of which they could not look

forward till the accession of the successor of him who now held the Throne. No body who saw such language held, could doubt that it must have a manifest tendency to alienate and destroy the affections of the people towards their Sovereign, and to break down that link of love which ought to connect the Sovereign and his people in the tenderest ties. That such was the tendency of the publication in question no person could read it and deny. The publication was extremely short, and the Jury could hardly miss the sense of it at a single reading. It was in these words—"What a crowd of blessings rush on one's mind that might be bestowed upon the country in the event of a total change of system...." So far the publication was political, and, therefore, though he could not agree with the Defendants in their idea of the benefits to be derived from a total change of system, he did not feel himself entitled, consistently with what he had already stated as to the right of free discussion on all political subjects, to quarrel with them for their opinions. It might be honestly their opinion that a total change of system would bestow a crowd of blessings on the country, though it was not his; and according to the just latitude of discussion which the Press ought to enjoy, he could not quarrel with them for this branch of the record. The Paper, however, then proceeded thus:—"of all the Monarchs, indeed, since the Revolution, the successor of George the Third will have the finest opportunity of becoming nobly popular." In other words—No prospect of the attainment of these blessings which thus rush on one's mind, opens to us during the reign of our present Sovereign; they can only be looked for on the accession of his successor to the Throne; his present Majesty and his life are the barriers which stand between his people and the attainment of the blessings alluded to. Thus fixing the era for the enjoyment of these blessings to be the death of his present Majesty. The Attorney-General said he had consumed more words than were necessary on this occasion. It was impossible to read the publication, and not declare it to be a Libel.

Mr. GARROW then rose, on the part of the Prosecution, to prove the printing and publishing of the paper in question.

Mr. PERRY, one of the Defendants, addressed the Court, and begged leave to say, that if it was the intention of the Learned Counsel to prove the publication, he would, with his Lordship's permission, save the valuable time of the Court. As it had ever been the rule of the Defendants to hold out an unequivocal responsibility for the conduct of the Paper, he desired to be understood, to admit, that Mr. John Lambert was the Printer of *The Morning Chronicle*, and that he himself was the proprietor.

Lord ELLENBOROUGH said, that it was perfectly allowable for Mr. PERRY to make this admission for himself; but was he also empowered to make it for the other Defendant?

Mr. PERRY said, that the other Defendant stood at his side.

Mr. LAMBERT begged leave to declare, that he admitted the fact charged in the record, that he was the Printer of *The Morning Chronicle*.

Mr. ATTORNEY-GENERAL then desired that the Paragraph in *The Morning Chronicle*, of the 2nd October last, as set forth in the record, might be read. It was read, and is as follows:—

"What a crowd of blessings rush upon
"one's mind, that might be bestowed
"upon the country, in the event of a
"total change of system! Of all Mo-
"narchs, indeed, since the Revolution,
"the Successor of George the Third
"will have the finest opportunity of
"becoming nobly popular."

Here Mr. ATTORNEY-GENERAL said he closed his case.

Mr. PERRY then stated, that there were some other passages in the same paper bearing upon the record, and tending to explain the meaning of the Defendants in its publication, that he presumed he had a right to have read either now or in the course of his Defence. And he respectfully applied to the Court to know whether he were so entitled.

Lord ELLENBOROUGH said, that undoubtedly if there were any other parts of the same paper upon the same topic, and appertaining to it, the Defendants had a right to their being read; but certainly he could not admit that passages and paragraphs totally foreign to the subject of the record should be read, or could be in any way made applicable to their Defence. If there were passages of the same paper, clearly and manifestly tending to shew the intention and mind of the Defendants as to this specific paragraph, Mr. Perry had a right to have them read either now or in the course of his Defence, as he might think the one course or the other most advantageous to his argument.

Mr. PERRY respectfully thanked the Court, and said he would take occasion to refer to the passages in the course of what he should have to offer in justification of his friend Mr. Lambert and himself.

DEFENCE.

Mr. PERRY then addressed the Jury, as nearly as he can himself recollect, to the following purport:

My Lord, and Gentlemen of the Jury,

In presenting myself personally to you this day, I am moved by various considerations; some of them growing out of the nature of the cause itself, and peculiar to it; some of them of a more general nature, but bearing with a heavy weight on my own feelings. I am sure that if I could faithfully describe the motives of both kinds that press upon me to this unusual course, they would be duly appreciated by the Noble and Learned Lord on the Bench, and by yourselves. By the very nature of this cause, and by the line of argument and inference which I anticipated in my own mind that his Majesty's Attorney-General would take, I felt a degree of delicacy and embarrassment in requesting the assistance of the Honourable and Learned Gentleman who holds a retainer for me, and who by his place within the bar of this Court, would have had the conduct of our Defence. I am confident that in the just and manly spirit of the British bar, the Learned Gentleman would have flung aside every feeling but that of his professional duty—and I am sure, also, that in the estimation of every fair and honourable mind he would have been able to exert the full vigour of his splendid talents, with a perfect and consistent regard to the discharge of his political duties.

Of this truth, that no personal considerations are ever suffered to interfere with the professional exertions of the Learned Gentlemen of this bar, I am in the sincerity of my heart convinced, and I have always admired the just eulogium that was passed upon them by a great and illustrious Lawyer who was once their ornament, and is still, thank God, their model—I mean Lord Erskine, who, when Mr. Stockdale, a perfect stranger, and a person adverse in political opinions, applied to him for his assistance in a cause in which he had given offence to Mr. Erskine's own political friends, the eloquent advocate expressed himself in the following words:

"A trust apparently so delicate and "singular, vanity is but too apt to whisper "an application of to some fancied merit "of one's own; but it is proper for the "honour of the English Bar that the "world should know such things happen "to all of us daily and of course.

"Happy, indeed, is it for this country, "that whatever interested divisions may "characterise other places, of which I "may have occasion to speak to-day, how-"ever the councils of the highest depart-"ments of the State may be occasionally "distracted by personal considerations, "they never enter these walls to disturb "the administration of justice: whatever "may be our public principles, or the "private habits of our lives, they never "cast even a shade across the path of our "professional duties.

"If this be the characteristic even of "the bar of an English Court of Justice, "what sacred impartiality may not every "man expect from its Jurors and its "Bench."

Such was the just and noble eulogium of that distinguished orator, who was in himself a shining example of the impartiality he ascribed to all. I subscribe to every word of it; and it does not belong to the learned profession only, but is to be found in the heart and practice of every one of the liberal professions of England. I may be permitted to state a most honourable instance of the same feeling which I had from the lips of an immortal hero, who by the most affectionate testimonies of his regard down almost to the last hour of his glorious life, did me the honour to call me his friend. When Lord Nelson received from the first Lord of the Admiralty, the last commission "to conquer, burn, sink, "and destroy, the fleets of our enemy," *which he executed to the letter*, the book of the captains of the British fleet was put into his hands by the Board to chuse his officers. It was a proper deference on their parts. It was nobly answered upon his. He returned the book unopened, and told them to chuse whom they pleased; for, "though there might be distinctions as to "experience and endowments, as in the "order of Providence we were not all made "alike; yet in point of gallantry, of "promptitude, of zeal, and of self-devo-"tion, there was not a captain of the Bri-"tish fleet with whom he would not chear-"fully sail, and in whom he would not "safely confide, not only his own honour, "but the glory of his Sovereign, and the "security of the State."

If, therefore, Gentlemen of the Jury, I had thought myself justified in a cause in which the record charges the other Defendant and myself with an attempt to bring the sacred person of the King into disrepute, to apply to my Counsel in the particular situation in which he stands (Mr. Jekyll, Solicitor-General to his Royal Highness the Prince of Wales) I am confident that the Learned Gentleman, and my other most able and esteemed Counsel (Mr. Raine) would have arduously, honestly, and much more successfully than, I fear, I shall be able to do for myself, have defended Mr. Lambert and me this day. But I felt that I could not with propriety make the application; and neither the rules of this Court, nor the rules of honour, that have always actuated my conduct, would permit me to overlook my engagement; and the respect which I bear for the honour, the talents, and the integrity of this bar, will ever prevent me from going to other Courts to look for assistance here.

But, Gentlemen, I should not have ventured to present myself to your attention if there had been any thing in the cause of an intricate or of a complicated nature —if there had been any inuendoes to be disputed—any special pleading to be encountered—any question of law to be argued—any witnesses to be cross-questioned —or, indeed, any thing but a plain, naked, simple proposition, which it is only necessary for me to shew you, was innocently published. I am not come here with the impertinent design of attempting to make a speech, in which I should only succeed in displaying my presumption and my folly—in which I should only more surely incur, because I should more richly deserve, the ridicule to which the man who pleads his own cause is always subject— and which, I assure you, I have myself suffered in no ordinary degree, even in the streets, from my friends, and from strangers, since my determination was known; and which in some instances would have affected my spirits, if any thing could have shaken the steady purpose of my mind, when supported by the conscious rectitude of my heart. But there is nothing, Gentlemen, that I mean to try so little as to captivate your understandings by the affectation of eloquence, that would, even if I had the gift or the practice of speaking, be out of place; since nothing can be more unseemly than for a person in my situation to usurp a province to which he does not belong; for after all, man is like a plant, which when transplanted into a soil foreign to its habits, will feel the change, will shrink into itself, will droop, will bend its head, until the mildness of the climate, and the chearing influence of the sun shall revivify and freshen whatever native vigour it may possess.

And, Gentlemen, even with all the simplicity of the cause, and with the simplicity which it is my resolution to observe in treating it, I should not have come here if it had been of any kind or quality but what it is. If it had been a pretended libel on an individual, of which I trust I am also incapable, but which in an hour of negligence, or by accident, (for it could happen by no other means), had gained admittance, we should have suffered judgment to go by default; for we shall be ever as ready to acknowledge a fault as we are careful to avoid one. If it had been an attack only on the King's Ministers, which I often assume the right to make, I should with confidence, and so would my inseparable co-adjutor and friend Mr. Lambert, have left our vindication to the Learned Gentlemen who would have done us the honour to exert themselves in our protection; but when it is charged on the record, that we had "unlawfully, wickedly and maliciously "devised and intended to bring his Ma- "jesty's sacred person into great and "public hatred and contempt;" we feel that nothing can deliver us from the horror of such a charge but by exposing ourselves fairly to you, in the face of our country, that you may observe, examine and try us with all the intelligence, all the acuteness, and all the authority that belong to you in this public tribunal.—Oh that you had the power of God, as you have the power of the country, to look into our breasts, and to search our hearts, to see whether there lurks in any part of the bosom of either, any dark, malignant, traitorous feeling, that would dispose us to use, if we could with safety, the powerful instrument in our hands to bring even into disrepute the sacred name of the Sovereign, under whose beneficent reign I have myself lived during the whole period of my conscious existence! This divine power of truly searching the heart is not given to man; but it is something on our part to expose ourselves, nakedly and alone, without guile, without aid, without Counsel, to the critical observations and scrutiny, which twelve discerning men,

Mr. PERRY respectfully thanked the Court, and said he would take occasion to refer to the passages in the course of what he should have to offer in justification of his friend Mr. Lambert and himself.

DEFENCE.

Mr. PERRY then addressed the Jury, as nearly as he can himself recollect, to the following purport:

My Lord, and Gentlemen of the Jury,

In presenting myself personally to you this day, I am moved by various considerations; some of them growing out of the nature of the cause itself, and peculiar to it; some of them of a more general nature, but bearing with a heavy weight on my own feelings. I am sure that if I could faithfully describe the motives of both kinds that press upon me to this unusual course, they would be duly appreciated by the Noble and Learned Lord on the Bench, and by yourselves. By the very nature of this cause, and by the line of argument and inference which I anticipated in my own mind that his Majesty's Attorney-General would take, I felt a degree of delicacy and embarrassment in requesting the assistance of the Honourable and Learned Gentleman who holds a retainer for me, and who by his place within the bar of this Court, would have had the conduct of our Defence. I am confident that in the just and manly spirit of the British bar, the Learned Gentleman would have flung aside every feeling but that of his professional duty—and I am sure, also, that in the estimation of every fair and honourable mind he would have been able to exert the full vigour of his splendid talents, with a perfect and consistent regard to the discharge of his political duties.

Of this truth, that no personal considerations are ever suffered to interfere with the professional exertions of the Learned Gentlemen of this bar, I am in the sincerity of my heart convinced, and I have always admired the just eulogium that was passed upon them by a great and illustrious Lawyer who was once their ornament, and is still, thank God, their model—I mean Lord Erskine, who, when Mr. Stockdale, a perfect stranger, and a person adverse in political opinions, applied to him for his assistance in a cause in which he had given offence to Mr. Erskine's own political friends, the eloquent advocate expressed himself in the following words:

"A trust apparently so delicate and "singular, vanity is but too apt to whisper "an application of to some fancied merit "of one's own; but it is proper for the "honour of the English Bar that the "world should know such things happen "to all of us daily and of course.

"Happy, indeed, is it for this country, "that whatever interested divisions may "characterise other places, of which I "may have occasion to speak to-day, how-"ever the councils of the highest depart-"ments of the State may be occasionally "distracted by personal considerations, "they never enter these walls to disturb "the administration of justice: whatever "may be our public principles, or the "private habits of our lives, they never "cast even a shade across the path of our "professional duties.

"If this be the characteristic even of "the bar of an English Court of Justice, "what sacred impartiality may not every "man expect from its Jurors and its "Bench."

Such was the just and noble eulogium of that distinguished orator, who was in himself a shining example of the impartiality he ascribed to all. I subscribe to every word of it; and it does not belong to the learned profession only, but is to be found in the heart and practice of every one of the liberal professions of England. I may be permitted to state a most honourable instance of the same feeling which I had from the lips of an immortal hero, who by the most affectionate testimonies of his regard down almost to the last hour of his glorious life, did me the honour to call me his friend. When Lord Nelson received from the first Lord of the Admiralty, the last commission "to conquer, burn, sink, "and destroy, the fleets of our enemy," *which he executed to the letter*, the book of the captains of the British fleet was put into his hands by the Board to chuse his officers. It was a proper deference on their parts. It was nobly answered upon his. He returned the book unopened, and told them to chuse whom they pleased; for, "though there might be distinctions as to "experience and endowments, as in the "order of Providence we were not all made "alike; yet in point of gallantry, of "promptitude, of zeal, and of self-devo-"tion, there was not a captain of the Bri-"tish fleet with whom he would not chear-"fully sail, and in whom he would not "safely confide, not only his own honour, "but the glory of his Sovereign, and the "security of the State."

If, therefore, Gentlemen of the Jury, I had thought myself justified in a cause in which the record charges the other Defendant and myself with an attempt to bring the sacred person of the King into disrepute, to apply to my Counsel in the particular situation in which he stands (Mr. Jekyll, Solicitor-General to his Royal Highness the Prince of Wales) I am confident that the Learned Gentleman, and my other most able and esteemed Counsel (Mr. Raine) would have arduously, honestly, and much more successfully than, I fear, I shall be able to do for myself, have defended Mr. Lambert and me this day. But I felt that I could not with propriety make the application; and neither the rules of this Court, nor the rules of honour, that have always actuated my conduct, would permit me to overlook my engagement; and the respect which I bear for the honour, the talents, and the integrity of this bar, will ever prevent me from going to other Courts to look for assistance here.

But, Gentlemen, I should not have ventured to present myself to your attention if there had been any thing in the cause of an intricate or of a complicated nature —if there had been any inuendoes to be disputed—any special pleading to be encountered—any question of law to be argued—any witnesses to be cross-questioned —or, indeed, any thing but a plain, naked, simple proposition, which it is only necessary for me to shew you, was innocently published. I am not come here with the impertinent design of attempting to make a speech, in which I should only succeed in displaying my presumption and my folly—in which I should only more surely incur, because I should more richly deserve, the ridicule to which the man who pleads his own cause is always subject— and which, I assure you, I have myself suffered in no ordinary degree, even in the streets, from my friends, and from strangers, since my determination was known; and which in some instances would have affected my spirits, if any thing could have shaken the steady purpose of my mind, when supported by the conscious rectitude of my heart. But there is nothing, Gentlemen, that I mean to try so little as to captivate your understandings by the affectation of eloquence, that would, even if I had the gift or the practice of speaking, be out of place; since nothing can be more unseemly than for a person in my situation to usurp a province to which he does not belong; for after all, man is like a plant, which when transplanted into a soil foreign to its habits, will feel the change, will shrink into itself, will droop, will bend its head, until the mildness of the climate, and the chearing influence of the sun shall revivify and freshen whatever native vigour it may possess.

And, Gentlemen, even with all the simplicity of the cause, and with the simplicity which it is my resolution to observe in treating it, I should not have come here if it had been of any kind or quality but what it is. If it had been a pretended libel on an individual, of which I trust I am also incapable, but which in an hour of negligence, or by accident, (for it could happen by no other means), had gained admittance, we should have suffered judgment to go by default; for we shall be ever as ready to acknowledge a fault as we are careful to avoid one. If it had been an attack only on the King's Ministers, which I often assume the right to make, I should with confidence, and so would my inseparable co-adjutor and friend Mr. Lambert, have left our vindication to the Learned Gentlemen who would have done us the honour to exert themselves in our protection; but when it is charged on the record, that we had "unlawfully, wickedly and maliciously "devised and intended to bring his Ma- "jesty's sacred person into great and "public hatred and contempt;" we feel that nothing can deliver us from the horror of such a charge but by exposing ourselves fairly to you, in the face of our country, that you may observe, examine and try us with all the intelligence, all the acuteness, and all the authority that belong to you in this public tribunal.—Oh that you had the power of God, as you have the power of the country, to look into our breasts, and to search our hearts, to see whether there lurks in any part of the bosom of either, any dark, malignant, traitorous feeling, that would dispose us to use, if we could with safety, the powerful instrument in our hands to bring even into disrepute the sacred name of the Sovereign, under whose beneficent reign I have myself lived during the whole period of my conscious existence! This divine power of truly searching the heart is not given to man; but it is something on our part to expose ourselves, nakedly and alone, without guile, without aid, without Counsel, to the critical observations and scrutiny, which twelve discerning men,

Freeholders of the County, in which we *live, interested in preserving the blessings* we enjoy, skilful and experienced in the characters of their fellow-citizens, may feel it to be their duty, and may be able by their intelligence and penetration to detect, if the crime alledged against us be covered under the most artful disguise. Gentlemen, you will have, under the direction of the Noble and Learned Judge on the bench, to exercise your faculties in discovering the mind and intention with which we published the words charged on the record—by the whole tenor of our lives—from the general sentiment and character of the Paper that we publish—and particularly from the contents of the Paper in which the solitary paragraph complained of appears, and which, if you should have occasion to quit that Box, you will receive, and will have an opportunity to read.

I am sure, that after having looked at the context which the Noble and Learned Lord has been so indulgent as to permit me to desire to be read in its proper place, you will be satisfied and convinced that the interpretation put upon it on the record, and still more in the speech of his Majesty's Attorney-General, is not the true sense, nor that which can be borne out by any fair, legitimate or sound deduction.

Let me state, Gentlemen of the Jury, the record and the sense put upon it by the honourable and learned Attorney-General.

It charges Mr. Lambert the Printer, and myself the Proprietor of *The Morning Chronicle*, as "being seditious, ma-"licious, ill-disposed persons, greatly dis-"affected to our present Sovereign Lord, "George the Third, and to *his* Adminis-"tration of the Government of this King-"dom—And that we did, unlawfully, "wickedly, and maliciously devising, "designing and intending as much as in "us lay, to bring our said Lord the King "and his Administration of the Govern-"ment of this Kingdom; and the persons "employed by him in the Administration "of the Government, into great and pub-"lic hatred and contempt among all his "liege subjects, and to alienate and "withdraw from our said Lord the King, "the cordial love and affection, true and "due obedience, fidelity, and allegiance "of his subjects, publish, &c." This is the offence charged, and the words set forth in the record are the means we used—all the means and nothing but the means, to accomplish these tremendous purposes.

Short as the paragraph is, it is divided into two parts or propositions, and his Majesty's Attorney General has fairly, candidly, and ingenuously taken them separately; for the sake of distinction and accuracy.

He declares that he has been induced to lay this information *ex officio*, because the paragraph complained of, contains in his mind a direct attack upon his Majesty's person; and that this is a thing so contrary to the fair, just, and full liberty of the press, that with every respect for that sacred and inestimable privilege he could not, consistently with his duty, overlook this monstrous departure from it. Mr. Attorney General then proceeds to explain what he means by, and what he conceives to be the free and genuine liberty of the English press. He declares it to be the right of free discussion in print—the right of free, fair, and full inquiry into the administration of public affairs—into the conduct of public men in the administration of public affairs—and generally and freely into the written and printed discussion of all matters, topics, and things connected with and contributory to the state and happiness of man in society—provided always that such discussion shall be kept within the bounds of temperance and morality; and he solemnly and honourably declares, which I firmly believe, that he would oppose any endeavours that should be made to controul it, for to that liberty and to the noble exercise of it we are indebted for every blessing that our forefathers obtained, and for the preservation of these blessings to the present day.

Gentlemen, I subscribe to the definition of his Majesty's Attorney General. I accept of it as of all that I desire—In my own name and in that of all the Journalists of England, I accept of and recognize the boundaries which he has stated for the liberty of the press. It is a scope sufficient for every good purpose of legitimate freedom—sufficient to admit of a vigilant and unequivocal censure of mal-administration, and of incapable, indolent, misguided or corrupt Ministers; to exercise a free spirit of inquiry on every subject of religion, science, and morals, that can interest a people living under a Constitution of freedom, and desirous of perpetuating the blessings they enjoy. Oh! that the same freedom of the press were extended to every part and portion of the inhabited globe! We should

then hear no more of a people sitting supine while their Government is attacked —of ancient Monarchies being overthrown, or of new tyrannies being triumphant!

The Learned Gentleman handsomely and properly follows up this definition by an acknowledgement which saves me this day some trouble, and saves the Court and you some time, for he at once admits that the first branch of the text which forms a part of the record, is within the scope of the liberty which he thinks legitimate. I thank him for the fair and candid concession. It is worthy of the high and distinguished situation which he holds: and becoming an honourable and constitutional lawyer. He fairly admits that to say "a crowd of blessings might flow "from a total change of system" is fair, because, though it is not his opinion, it may be honestly mine. And if upon an examination and review of the measures of the King's Ministers, or of any department of his Administration, a writer shall see cause for animadversion and censure, he thinks it within the fair and just precincts of freedom that he should publish his thoughts. He, therefore, does not ascribe to this branch of the sentence the epithets that are upon the record. He does not certainly think of his Majesty's Ministers as it appears that I think of them, but he gives me credit for a fair difference of opinion, and for honestly thinking what I have openly said. How the Learned Gentleman, with the conviction on his mind, of the innocence of this branch of the sentence, could yet put it on the record, and apply to it all the severe epithets of charge that stand against us, it is for him to explain. It is not possible for me to divine the cause, unless the Learned Gentleman should think this branch of the sentence, necessary to introduce the second, as tending to its explanation.

But, Gentlemen, I thank him for exempting me from the necessity of shewing you what I meant by a change of system. It would have become me to have shewn you, who are loyal subjects of your Sovereign, that by a change of system I did not mean a change in the frame of our Constitution or of our Government—God forbid—and even the most suspected part of the sentence would protect me from that charge, because it speaks of the regular descent of the Monarchy to a legitimate successor; but I am relieved at once and for ever from all anxiety, and from all doubt upon this point; and I should be in a most perilous situation indeed, if it were otherways, for instead of my being able to adduce the uniform tenor and practice of my life, to justify me from the imputation cast upon me for the last branch of the sentence, my whole life would be an almost uninterrupted series of transgressions under the first.

For, Gentlemen of the Jury, I do differ with the Honourable and Learned Gentleman as to the character of the Administration, and as often and as long, as I have seen the Administration of his Majesty's affairs in such hands, and so conducted, I have felt it my duty to say, that a total change of system would bestow a crowd of blessings on his Majesty and on his People. It has been my creed—it has been my invariable object, to state and to instil it into the minds of my fellow-subjects; and happy would it have been for us all, if I had been as successful as I have been industrious! For, Gentlemen, I have done it daily—three hundred and thirteen times a year—for three and thirty years of my life have I proclaimed, that a total change of system would bestow a crowd of blessings on the country. It was clearly and perfectly known what I meant by a change of system—that I meant a change of measures, together, undoubtedly, with a change of men, as a security to the country for a change of measures—and that the phrase meant no more, than to impress upon the public mind this great, undeniable Whig doctrine, that the true magnificence, solidity and power of the British Throne required that the free choice of the King in the appointment of his Government should be strengthened by the opinion and confidence of his people. Now, in the whole of the eventful period of my political life (into which there have been crowded more vicissitudes of human fortune—more awful admonitions to Princes—and more important lessons to mankind, than ever were known in any other portion of time), there never was one when the truth of the above maxim could be proclaimed with a more seasonable, a more lively, or a more urgent interest, than on Monday, the 2d day of October last, the day laid in the record for the offence.

But the Learned Gentleman says, most generously, that he does not quarrel with me as to my opinion of his Majesty's present Ministers, and as to my wish for a change of system—nor as to my idea of the blessings that would flow from it. It

may be my opinion, though it is not his—but that which he complains of is the time that I hold out to the country as the only period when they may hope to enjoy the blessings that would flow from such a change—and he says that I mean to insinuate that no such hope can be entertained during the life of his present Majesty—but that I proceed to state it may be expected from the Successor of George the Third. Having conjured up this phantom of an insinuation, he very properly dresses it in the garb of terror to affright your loyalty, and to impress upon your minds the most horrible images of civil discord—of the links of love that bind the Sovereign to the people and the people to the Sovereign being broken—and that the country is to be condemned to anarchy, because the King's life is set up between them and their hopes of happiness! All this is dreadful—but where does the Learned Gentleman find all this? Not in the record, for there is not an *inuendo* to that effect. It is really hard upon Mr. Lambert and myself that the Attorney General should acquit us of what he finds upon his own record, and then charge us with an insinuation that is not to be found there. Whence does he draw the inference that he now puts upon the phrase? Not from the simple words, for they contain no such meaning—and not from the context, as I shall have the honour to shew you when I call your attention to the passages in the same paper, which the Noble and Learned Lord permits me to call for and put in as part of my Defence.

But first, Gentlemen, give me leave to call back your recollection to the period of time, and to the very curious and interesting circumstances at the time of this publication. Gentlemen, it was immediately after the failure of our most notable and most calamitous Expedition to Walcheren, when almost every family in this kingdom were covered with sorrow at the woeful certainty of the loss of a husband, a son, a brother, or a friend, or with the still more agonizing apprehensions of the loss which they dreaded every post would bring them—Not losses from the fate of battle, where death even to those that are nearest in blood to the sufferer, brings with it the consolation of the glory that shines over the grave, but losses from the most cruel neglect of the means by which they might have been avoided. It was when the cabals and distractions of the King's Cabinet had broken out, after private treachery, into the scandal of public duelling—It was on the total disorganization of the King's Government, when, humbled and mortified into a just but temporary sense of their own incapacity, they had made a proposition to two great and illustrious Statesmen to support their tottering fabric. Gentlemen, this paragraph made its appearance on the very day when the first faithful narrative of that overture to a negociation was communicated to the public through the medium of the Morning Chronicle.

It fortunately happens to my friend and me, that there will be found in the columns of the same identical paper, ample proof of the mind and intention with which the paragraph on the record was inserted—for, you will please to observe, that we are not charged with the writing of it. That is no part of the imputation, for, in point of fact, it was a paragraph copied from another journal, which is the uniform practice of all Editors, when they see any thing that coincides with, or serves to corroborate their own sentiments, or that puts an idea in a new light. We are not striving to shelter ourselves from our direct responsibility for every part of the paper, written or copied, by this statement, but to account to you for a distinction which you may observe in the manner in which the passages that I shall refer you to, and this paragraph, are presented to the public eye. It is no more than a distinction which belongs to the mechanic part of the composition of a newspaper. That which is our own, or that which is new—that which is important, or that which is peculiar to ourselves, we display in space, or in a different character from that which is borrowed, and that which may be in every other paper as well as our own. With this distinction, Gentlemen, you will view the whole paper—and you will see whether the passages, to which I shall point your attention, which precede this in point of place, though separated from it—are not *bona fide* connected with it in sense, though disjoined in situation; and whether they will not lead your judgment to form a true estimate of the mind and intention with which we admitted this tailpiece to the narrative.

(To be continued.)

LONDON:—Printed by T. C. HANSARD, Peterborough-Court, Fleet-Street
Published by R. BAGSHAW, Brydges-Street, Covent-Garden:—Sold also by J. BUDD, Pall-Mall.

COBBETT'S WEEKLY POLITICAL REGISTER.

VOL. XVII. No. 10.] LONDON, SATURDAY, MARCH 10, 1810. [Price 1s.

There is a *sinecure place*, which is, at present, held by the EARL OF BUCKINGHAMSHIRE (late Lord Hobart), which place is worth £. 11,094, or, in words, *eleven thousand and ninety-four pounds*, a year. The reversion of this enormous salary, that is to say, the possession of it *after the present possessor's death*, has been obtained and secured by LORD HARDWICKE, not only for himself during his life, but, beyond that, *for the lives of his two sons*; and, this Lord Hardwicke is, as the reader will recollect, *a brother* of MR. CHARLES YORKE.

MR. CHARLES YORKE, of whom the public has, within the last twelve months, heard so much; that Mr. Charles Yorke, who, upon Mr. Wardle's opening of the Charges against our late Chieftain, solemnly declared his belief that there was a Jacobinical Conspiracy on foot against the illustrious House of Brunswick; that Mr. Charles Yorke, who, from the moment the Walcheren Inquiry began, moved the Standing Order, for shutting the Debate Reporters out of the Gallery; that Mr. Charles Yorke, who, when a motion was made for Inquiry, which motion was opposed by the minister, declared that he thought it his duty to stand by the minister, because the minister had resolved to stand by the king; aye, that very Mr. Charles Yorke, has, within this week, received through the hands of that same minister, a grant, for life, of a *sinecure place*, (or place where nothing is to be done) called a Tellership of the Exchequer, worth £. 2,700 a year; that is to say, he has thus secured, for his whole lifetime, *two thousand seven hundred pounds a year* to be paid to him out of the taxes, raised upon the people of England.

TO THE INDEPENDENT FREEHOLDERS OF THE COUNTY OF CAMBRIDGE.

Letter I.

GENTLEMEN:

Mr. Charles Yorke's having obtained a grant of a SINECURE PLACE has put it in your power to do more good, or more harm, to the cause of public liberty, than it has, for many years past, been in the power of any part of this kingdom to do, or to leave undone; and, as your conduct, upon this interesting occasion, must affect, in a greater or less degree, the whole of your countrymen, you will not, I hope, think it an act of presumption in me to state to you a few of those reasons, which, in my opinion, ought to prevent you from re-electing your late Member.

Gentlemen, it is not necessary for me to remind the far greater part of you, that his Majesty's family came not to the throne of this country in virtue of *lineal descent*; but, that they were raised to that throne by Act of Parliament, which set aside the *direct descendants*, and put his Majesty's family in their place. This the people of England did because their rights had been trampled on by the kings of the House of STUART, and because they thought, that those rights would be preserved under the House of Brunswick. But, when they made this change, they did not make it without *conditions*. An Act was passed, which is commonly called the ACT OF SETTLEMENT; but which is entitled "*An Act for further limiting the Crown, and better securing the rights and liberties of the people.*" This Act is neither more nor less than a Statement, or rather, Declaration of the *Conditions*, upon which the House of Brunswick shall enjoy the throne of these realms; and, amongst these conditions there is this: "*That no "person, who has an office or place of profit "under the king, or receives a pension from "the Crown, shall be capable of serving as a "member of the House of Commons.*" Now, this provision having been introduced into such an Act of Parliament, an act the most important, perhaps, that ever was passed, clearly shows, how anxious our forefathers were to prevent members of parliament from being under the influence of the Crown. This provision was, however, done away by a subsequent Act of Parliament, passed at a time when the people were less alive to their interests and their honour; and, accordingly, we now see a very great abundance of *pensioners* as well as *placemen* seated in the Commons' House of Parliament; but, still, those who passed the act, by which this wholesome provision was repealed, were afraid or ashamed, to go the full length of at once opening the door to placemen and pensioners, without check or controul, and, therefore, while they permitted placemen and pensioners to be chosen members and sit in the House, they had the decency to provide, that when any man *after* his election, became a placeman or a pensioner, he should quit his seat, and should not, of course, re-enter the

House, unless he was re-elected by his former constituents, or by some other body of electors.

The reasoning, upon which this measure was attempted to be justified, was this; That, all that any one could ask for, on the part of the people, was, that they should *have their choice*; that, by sending the placed or pensioned man back to them, the power of rejecting him was given to them; and, that, if they re-chose him, it was clear that *they liked to have a place-man or pensioner for their representative*. How fallacious, *generally* speaking, was this sort of reasoning, I need hardly point out to you; for you must all recollect, that it has been offered to be proved at the bar of the House of Commons, that in the election of more than one half of the members of that House the *people* have, in fact, nothing at all to do. But, as applied to COUNTIES, and to open boroughs, like Southwark and Westminster, and some others, the reasoning is fair enough; for there, though the taxing system has created a dreadful influence in favour of placemen and pensioners, it is the fault of *the people*; it is, and must be, owing to a fault *in them*, if a person unworthy their suffrages be re-elected and sent back to parliament, and for which fault they are answerable not only to their own consciences and to their children, but to their countrymen at large; for the man they thus return has the power of assisting the making of laws to tax and to bind the whole nation, and, besides, to whatever political principles he is known to possess, they, by re-electing him, publicly and irrevocably give their sanction.

Thus, then, Gentlemen, it is now to be seen, and must, in the course of a few days, be seen, whether *you* like to have a placeman, and a *sinecure placeman* too, for your representative; and whether you are ready to give your public and irrevocable sanction to the political principles of your late member. What those principles are you know pretty well already; but, it may not be amiss, now that he is appealing to you as judges of his past conduct, to take a view of some of the prominent parts of that conduct during the last and the present session of parliament.

To name the Investigation, relative to the Conduct of the Duke of York, is to recall to your memory a crowd of circumstances that need no repeating here. Well; when that Investigation was moved for by MR. WARDLE; when this gentleman, to whom the nation is so much indebted, came honestly forward with *specific charges* against the Duke of York, you must remember how he was assailed by men on *both* sides of the House; but by no one was he assailed so furiously as by MR. CHARLES YORKE, who had the confidence to ascribe Mr. Wardle's charges to the instigation of *Jacobins* and *Conspirators*. His Speech, upon that occasion, I will now insert here, because it is one of his political acts by which you ought to judge him; and upon the merits of which you have now to decide by your votes. The Speech was as follows:——

"Mr. *Yorke* observed that he never lis-
"tened to a charge more serious, and he
"had heard it with the greatest possible
"concern, both on account of the Com-
"mander in Chief, and the hon. gent. who
"had brought it forward, (hear! hear!)
"who took so heavy a responsibility upon
"himself. But he was glad that the house
"had come at last to some Charges against
"his royal highness the Commander in
"Chief in a tangible form. At length they
"could reach in a tangible shape some of
"those libels which had for some time
"past been more assiduously and pertina-
"ciously circulated than at any former
"period in this country so prolific in li-
"bels. Publications which he would
"treat as libels, (hear! hear!) had lately
"appeared against the Commander in
"Chief, and these had been circulated with
"a pertinacity hitherto unexampled. He
"was glad therefore that something was
"now brought forward in a tangible form,
"and he hoped the House would do its
"duty to itself, to the country, and to the
"Royal House of Brunswick—(Loud cries
"of hear! hear!); that blame might rest
"where it ought to be fixed, and that if
"there was no ground for these accusa-
"tions, justice might be done to the Com-
"mander in Chief." And he sincerely
"hoped, that if the latter should turn out
"to be the fact, the hon. gent. would be
"enabled to acquit himself, by shewing at
"least, that there existed some probable
"reasons in support of the heavy charge
"which he had taken upon himself. For
"my own part, Mr. Yorke continued, I
"believe that there exists a Conspiracy of
"the most atrocious and diabolical kind
"against his royal highness (loud cries of
"hear! hear!)—founded on the Jacobi-
"nical spirit which appeared at the com-
"mencement of the French revolution;
"for though this spirit did not shew itself

"exactly in the same form as at first, when "once raised it was not easily quelled, "and it never could promote its views with "better hopes of success than by talking "down illustrious persons—(hear! hear!) "It was the object to write down his royal "highness—it was no less so to write down "all the establishments of the country. "By means of the press, the liberty of "which was so valuable, and the licen- "tiousness of which was so pernicious, it "appeared to be the design of the Conspi- "rators to write down the military system "through the Commander in Chief—the "army through its generals, and other "establishments through the persons most "conspicuous in each—and of this plan "the present was only a particular in- "stance, (hear! hear!).—He was glad "that this enquiry was to take place, be- "cause there was in the country a con- "spiracy against all that was eminent in "the state. They all knew what that spi- "rit was upon which this conspiracy was "founded; and though it was not the "same at present as at the time of the "French revolution, yet, as the late Mr. "Pitt had truly said, "the jacobinical "spirit, when once roused, is not easily "put down." The spirit was not yet ex- "tinct, and the consequence was a conspi- "racy for talking and writing down every "thing illustrious and eminent in the na- "tion—to run down the royal family "through the duke of York, and to run "down the army through its generals. "This was a consequence of a free press, "the freedom of which was justly consi- "dered the palladium of liberty, but whose "licentiousness was the destruction of civil "society. That licentiousness of the press "had been actively directed against the "illustrious person who was the object of "this motion, and who from his station "and all his past services, might be sup- "posed secure from its attacks. Let "blame fall where it ought; but the "House ought to consider the illustrious "object against whom the charge was di- "rected; they ought to consider his high "station in the country, and the eminent "services which he had performed for the "country, in the state to which he had "brought the army—(hear.) What was "the state of the army when he became "Commander in Chief? It scarcely de- "served the name of an army, and it was "now found by experience to be, in pro- "portion to its numbers, the best army "that ever existed. The best mode to do "justice to the sovereign—to do justice to "the high character now impeached—and "to do justice to the country, would, per- "haps, be to appoint a Parliamentary "Commission, with power to examine "each party on oath—(loud cries of hear! "hear! from both sides of the House.) "The gentleman might have circum- "stances in view to support these charges, "which he believed to be founded in "truth. He only spoke of this Commis- "sion with reference to his own argu- "ment. He had said that he believed a "Conspiracy to exist, and if the House "could go along with him, and suppose "that this was actually the case, he threw "out for their consideration, whether a "Parliamentary Commission with power "to examine on oath was not preferable "to a Committee. He could not think he "had done his duty if he had not thrown "out this idea for consideration. The "importance of the subject well deserved "such a mode of proceeding. But at all "events, he was happy that the matter "would now be properly investigated."

Gentlemen; of all the hateful modes of assailing truth and justice, the most hateful assuredly is, that of raising false imputations against the advocates of truth and justice.——Mark, now, the conduct of the man, whom you sent to the parliament as your representative. He hears a member distinctly charge a son of the king with acts extremely injurious to the nation; and what does he thereupon say? Does he say, that he is ready to give the charge an impartial hearing; and that justice ought to be done upon the high as well as the low? Does he wait with patience for the proofs, either of guilt or innocence? No: none of these; but, without more ado; not having boldness enough to *deny the charge;* not having the confidence to assert the charges, or any part of them, to be *false*, he endeavours to *excite a prejudice against the charges* altogether, by ascribing them to the crafty wiles of *Jacobins* and *Conspirators*, who were making use of the *press* for the purpose of overthrowing the "*illustrious House of Brunswick.*" Of the existence of any such conspiracy he had no proof; it was out of his power to state a single circumstance in corroboration of such a charge; there was scarcely the possibility of believing such a charge to be true. But, if you could suppose it possible, that he himself believed the charge to be true at the time when he made it, what can you think

of him for having, to the last, suffered the charge *to remain unretracted?* He saw the proofs that Mr. Wardle brought forward; he heard all that we heard upon the subject; but never, during the whole of the proceedings, did he, in any shape whatever, retract his charges against *the press*, the cramping of which, even at that time, seems to have been resolved upon, and in the performance of which service he seems, for reasons best known to himself, to have taken the lead. It was seen, by those most deeply interested, that, unless the liberty of the press was destroyed, they would never be safe. The cry of *Jacobinism* was, therefore, revived. Mr. ROBERT WHARTON published a dirty pamphlet about Jacobinism, and he has been since made *a Secretary of the Treasury*. This attempt to frighten, to scare, to terrify, did, however, fail: the nation was not, a second time, to be frightened out of its senses; and, the Inquiry relative to the conduct of the Duke; the disclosure of all the scandalous transactions brought to light by that Inquiry, confirmed the nation in its disbelief of the preachers of alarm.

I beseech you, Gentlemen, to reflect a little upon the tendency of conduct such as I have here described to you. We are continually told of the necessity of *unanimity*, in order to enable us to resist our powerful enemy; but, how is it *possible;* I say possible, for us to be *unanimous*, while, upon every occasion, when we differ in opinion from such men as Mr. Yorke, or, rather when we make complaints, which he does not approve of, we are called *Jacobins, Conspirators*, and *enemies of the House of Brunswick;* that is to say, *traitors;* or, in other words, *men meriting the gallows?* Is this the way to make us unanimous? Is this the way to induce us to spend our "last shilling and shed the last drop of our blood" in opposing Buonaparté? We now complain, that this Gentleman has contrived to fasten himself upon us for life at the rate of 2,700*l.* a year, and, because we complain of such things, he calls us Conspirators against the House of Brunswick; and this, forsooth, is to induce us to be *unanimous* not only in defending the country against an invader, but in approving of all the measures of which this same Mr. Yorke chooses to approve. Verily, such men as Mr. Yorke must look upon us as a people superlatively base.

Before I come to Mr. Yorke's conduct; during the present session of parliament, I must beg your attention to one particular passage in his Speech above-quoted. I allude to that, where he, upon the assumed ground of the charges of Mr. Wardle having arisen out of the existence of a *Jacobinical Conspiracy*, proposed the Inquiry to take place before a PARLIAMENTARY COMMISSION, and *not at the bar of the House*. This is well worthy of your notice. Upon that occasion, the person who had the confidence to propose a *close* Inquiry, was a person returned to parliament *by you*. It was *to you* that the nation owed an attempt, at that time, to cause the Inquiry to be kept from the bar of the House; because it was you, who sent Mr. Yorke to the House of Commons.

Exactly in the same spirit has he acted with regard to the present Inquiry. First, he both *speaks* and *votes* against Lord Porchester's motion for the Inquiry; and, unable to prevent its taking place, what does he next do, why enforces the Standing Order for the exclusion of Strangers, by which means he well knows, that the people will, in the first place, not get at what passes until some days later, and that the thing will thereby be rendered less interesting; next, that, though all the questions and answers will *finally* be published, yet that, coming out in such masses, the evidence will be read by comparatively few persons; and, thirdly, that the people will *never know by whom the several questions have been put*, nor see any account of the speeches made during the progress of the Inquiry, which, as we know from last year's experience, must be of the greatest importance in enabling us to judge of the conduct and views of the several members. In short, the shutting of the doors of the Gallery was doing all that it was *possible* for any man to do *to keep from the people* a knowledge of the facts relating to the Walcheren Expedition, and also a knowledge of the conduct of the members of parliament relative to the Inquiry into those facts. Besides himself there was but one man in the whole House (Mr. Windham), who openly justified the measure, of which it was impossible to mistake the motive. Even the ministers would not say, that they approved of the thing. It was to have the appearance of being the act of an *independent country gentleman;* the act of a *county member;* a man who had nothing at all to do with the ministers; but, who had, as it were by accident, *taken it into his head*, that it was right to shut the

gallery; and who could have no *interest* at all in the matter, not he! Gentlemen, if there were, amongst you, some persons, who viewed his conduct in this light, what must have been your surprize, what your shame and indignation, at seeing, in the course of a short fortnight, the minister come to the House and inform it, that this independent country gentleman, *this member for the county of Cambridge*, had accepted of a place under the Crown; had become even a *Sinecure Placeman;* had got a Crown grant upon the taxes; had fastened himself upon you as well as the rest of the people of England, for his whole life time, at the rate of 2,700*l.* a year?

Gentlemen, look here well into the conduct of this man. You know how heavy is the weight of your taxes. You know well how difficult it is for you to get together money wherewith to satisfy the almost daily demands of the tax-gatherer. The whole train of assessors, inspectors, supervisors, and surchargers of endless descriptions fail not to remind you of the burdens of taxation. Well, you hope, however, that what is thus raised upon you will be expended for none but *useful* purposes; or, at least you have a right to expect this; and you choose two persons, called your Representatives, to see, on your part, that the money raised upon you in taxes is expended only for useful purposes; but, what does one of these your representatives do? Why, *he takes* 2,700*l. a year of these taxes to himself;* he does nothing for this money; and he gets a grant from the Crown, which is to compel you, and the rest of us, to pay him out of the taxes, this 2,700*l.* a year as long as he lives; and, what is, if possible, still worse than all the rest, he has now the confidence, the assurance, the unparalleled effrontery, to appeal to you to judge of his conduct, and to call upon you to choose him again; that is to say, to give him another opportunity of making a pull at your purse.

Gentlemen, in his Address* to you, upon this occasion, he talks about your "*liberal* and *candid good will,*" which, if it mean any thing at all, certainly means something very different indeed from what is, upon all occasions, visible in *his* character. He trusts, that he has done nothing to offend you, "*because;*" . . . . because, what? Why, because *his conscience* assures him, that he has *endeavoured* to discharge his duty towards you. What! was it, then, a part of his duty to take to himself 2,700*l.* a year of the money that you appointed him to watch over? Did he ask *you* to give him this salary for doing nothing? Did he ask *you*, whether he ought to accept of it? He tells you "that His Majesty has been gracious-"pleased, without any *solicitation* or *ex-"pectation* on his part, to appoint him "one of the *Tellers of his Exchequer.*" So, you are to believe, if you will, that the king *forced* the 2,700*l.* a year upon him; for, if you do not believe this, of what consequence is it to you, whether he *solicited* or *expected* the place, or whe-

---

* To the Gentlemen, Clergy, and Freeholders of the County of Cambridge.

GENTLEMEN,

His Majesty having been graciously pleased, without any solicitation or expectation whatever on my part, to appoint me one of the Tellers of his Exchequer, the trust, with which I have so repeatedly, and for so many years, been honoured by you, has again devolved into your hands; my seat in parliament having thereupon become vacant.——I hope I may presume to throw myself once more upon your indulgence, and upon that liberal and candid good-will and support, which I have so often experienced. I trust that I have never done any thing that can justly deprive me of your good opinion, which is my chiefest pride; because my conscience assures me, that during the twenty years which I have spent in serving you, I have at least endeavoured, upon all occasions, to discharge my duty to you and my country with the utmost zeal, diligence, and fidelity.——I regret that the vacancy of my seat at this moment has prevented me from continuing to give my best assistance in forwarding and bringing to a conclusion several important Bills now depending in Parliament, for the security and improvement both of the County and Isle. Should it be your good pleasure again to elect me one of your Members, I shall apply my best diligence and industry in furthering and completing as well these, as all other measures that can contribute to the wealth and prosperity of both the districts of the county, and generally, to the advantage and happiness of the Empire at large.—I have the honour to be Gentlemen, &c. C. YORKE

Charles-street, Feb. 28, 1810.

ther it came of itself. He *has* the place; he has taken care to have a grant for life of the 2,700*l.* a year; and, unless he can prove, that the king *compelled* him to have it, these miserable pretences do not at all mend the matter. There are, in most cases, two ways of expressing a thing, and, if Mr. Yorke had expressed himself in plain terms he would have begun his Address thus: "The king's minister has "just got for me a grant of 2,700*l.* a year "for life out of the taxes raised upon you "and the rest of the nation, which you "sent me to parliament to take care of; "in return for which I am to do nothing "at all, except to vote for the said mi-"nister." This would have been more plain in terms; but, the sense would have been the same; and, really, you must be made of no common mould, if you can read this supercilious Address without strong emotions of indignation. The latter part of it contains a sort of *threat*, that his re-election is necessary to the success of your *private bills* now before parliament. Gentlemen; believe not a word of this. Any member of the House can forward those bills as well as Mr Yorke can. This is an appeal, not to good sense and public spirit; but, it is a direct appeal to ignorance and selfishness, of which he evidently pays you the compliment to suppose you abundantly stored.

The Address of Mr. Burrell*; the principles of which have been adopted by the opponent of Mr. Yorke, is good as far as it goes; and is excellent when compared to that of Mr. Yorke, who does not condescend to say, that he will ever move hand or foot in support of your rights and liberties. Indeed, considering the conduct of Mr. Yorke, it is almost impossible not to derive advantage from *a change*. It is not within the compass of probability, that you should make the matter worse; and, one very powerful argument in favour of the opposing candidate, is, that he is not a person at all likely, from any motive whatever, to seek after, or accept of, a *Sinecure Place*. But, the great thing for you to consider is, in my opinion, that, if you again choose Mr Yorke, you will, in that act, identify yourselves with him as to all those principles, of which, for some time past, he has been the most hardy advocate. In his out-cry respecting a Jacobinical Conspiracy; in his seeing his face against Inquiry; in all his attacks upon the Press; and finally, in his taking a Sinecure Place for life; in all those things, you, if you re-elect him, will become par-

* To the Freeholders of the County of Cambridge.

Gentlemen; His Majesty's Ministers having thought fit to reward the services of Mr. Yorke, by granting to him for life, the very lucrative appointment of Teller of the Exchequer, his Seat in Parliament has become vacant; as on such occasions the Constitution has wisely declared, that Freeholders and Electors should decide on the propriety of such Grants, and on the political Merits of the Gentleman on whom they are conferred.—In the present Crisis, your decision involves so many important Considerations, that it must be looked to with eagerness and anxiety by all who have a just sense of the Situation of the Country.—In supporting Mr. Yorke, you support the men, who, by their councils, have sacrificed so many of our gallant countrymen, and exposed the nation to unparalleled failures in every part of Europe; who have uniformly resisted or evaded, those inquiries, which their conduct so imperiously demanded: but above all, you support the man, who, when the wisdom of Parliament had at length yielded to inquiry, was foremost in depriving the people of the melancholy consolation of hearing the progress of that interesting examination.—It becomes me, however, in presuming to solicit your suffrages, to explain the line of conduct which it is my intention to pursue.—I shall firmly co-operate with those who wish to reduce the lavish expenditure of public money. To the rights of the subject—to the independence of Parliament—to the vigilant exercise of its duties, I am sincerely and upon principle attached. The Liberty of the Press will always find in me a zealous supporter; and it will be my constant endeavour to promote, not to stifle, discussion of topics in which all Englishmen are, or ought to be, interested.—It only remains for me to say, that I shall take the earliest opportunity of presenting myself to the Freeholders, and of assuring them, that if they do me the honour of entrusting their interests to my charge, those interests will never be sacrificed, nor the private business of the County suspended, by my acceptance of a Sinecure Office, however lucrative, from any Administration.—I have the honour, &c. Peter Robert Drummond Burrell.

Piccadilly, March 4, 1810.

ties; and, you will therein do an injury to your country as great as you have the power to do. Mr. Yorke has told you of his *twenty years* of parliamentary service. During that time he has always been a supporter of the ruling party, and has, for some years of the time, been a minister himself, or, at least, one of the ministry. Now, then, if you were to ask him *what had been done for you*, during that time, what could he answer? Your taxes have been increased four-fold in the twenty years; the National Debt has been increased in the same proportion; the Income and Assessed Taxes have been imposed during that time; upwards of twenty thousand Foreign Troops have been introduced and established here; and, during the same time, France, whom Englishmen used to speak of with contempt, has conquered almost the whole of the continent, of every nation of which, during this series of conquests, England has been the Ally. During almost the whole of Mr. Yorke's parliamentary career; during the twenty years that you have returned him to parliament, our government has been engaged in *the deliverance of Europe* from the ambitious encroachments of France; and, at the close of his career (for I trust it is over) the French have subdued the whole of Europe, a little speck or two in the Southern Peninsula excepted. His *length of service*, therefore, will hardly be an argument in his favour.

In cases of this sort, men are apt to be very forward with their tongues; but, unfortunately, there they stop. They complain of oppression: they complain of the burdens and the vexations they have to endure; each individual is, at all times, ready thus to *complain*; but, few, in general, are those, who are ready to exert themselves in the way of obtaining *redress*. To obtain redress, or to endeavour to obtain it, is the business of the whole community; and, therefore, it is, that but too many individuals are inclined to leave the work to their neighbours, who, on their part, are full as willing to leave the work to those individuals. Thus it is, that no redress is obtained; and thus are we compelled to bear burthen upon burthen even to the weighing of us down to the earth. If, indeed, you are satisfied; if you think it right, that your money should be taken from you to support Sinecure Placemen; why, then, you will act consistently in re-electing Mr. Yorke; but, then, remember, that all your future complaints about the weight of taxes will be a fit subject for ridicule and scorn. Nor will this apply to those of you only who vote *for* him. It will apply, and with equal justice, to every man, who does not vote *against* him; nay, perhaps, the latter ought to be considered as the worst of the two.

Gentlemen, Mr. Yorke belongs to a set of persons, who have arrogated to themselves, exclusively, the name of "*the King's Friends*," thereby necessarily insinuating, that the king has *enemies* amongst his subjects. Nothing can well be more audacious than this. It is the custom of these persons to consider it as a matter of course, that all those who oppose them, are *enemies of the king*. Gentlemen, you have lately, I mean within these few years, seen a great many *peculators*, or *public robbers*, detected and exposed; and, I beg you to observe, and bear it in your mind, that all of them, without a single exception, have been distinguished for their professions of *loyalty*, and have called themselves "*king's friends*;" while, on the other hand, not one of those, who have, at any time, been denominated *Jacobins*, has ever been accused, or even suspected, of any act of *public robbery*. Here, therefore, is a complete answer to all Mr. Yorke's big talk about *loyalty*, which, it would seem, is possessed by no one, who does not, in one way or another, live upon the public. The gentleman, who is the declared opponent of Mr. Yorke, has a large fortune in your county, and has certainly every motive which a man can have for supporting the laws and constitution of England; yet, I venture to predict, that the partizans of this Sinecure Placeman will, by insinuation at least, accuse him of being a *Jacobin* and a *Leveller*.

The real friends of the king, Gentlemen, are those who endeavour to cause *truth to reach his ears*, and who *have set their faces against corruption and a consequent waste of the public money*; and these are precisely the persons, whom men like Mr. Yorke represent as the enemies of the king. It has been thus in all the countries that Buonaparté has subdued; and, it was thus in the old government of France itself. When the people have complained of their burdens, when they have besought a redress of their grievances, they have been answered by accusations of *disloyalty*, and, upon the ground of that charge, their grievances have been augmented by the very means employed

to prevent the necessity of yielding to their just and reasonable requests. The final consequence has generally been, that, when attacked, those countries have fallen an easy prey to the enemy. *We* have stood astonished spectators of that series of conquests. *Here* the conqueror was to be met; *there* he was to be beaten; *now*, and *then* again, his career was to be put an end to. Alas! we have *always* been disappointed: each succeeding hope has been destroyed almost as soon as conceived; till, at last, the contest is reduced to the simple point, whether England shall be subdued or not. In this state of things, who is the really *loyal* subject: the man, who is, and always has been, the supporter of every species of waste and corruption; or the man, who endeavours to put an end to that waste, and to root up that corruption?

Gentlemen, by those who are the most bold, or, rather, desperate, in supporting corruption, it has been broadly asserted, that *all the nation is corrupt*; that *the people* are more corrupt than those who have bought and sold seats in parliament; and that corruption *begins at the bottom* and is more inveterate there. Gentlemen, so false and foul a charge as this never was, in my opinion, before preferred. What! Because a man, by money, probably taken from the public purse, is able to corrupt some score or two of miserable wretches in a rotten borough, and thereby to procure his return to parliament; because, seats in parliament are obtained in this manner, are we to admit the truth of the accusation, that the whole of the people are corrupt; that corruption is as general as the air; and, that, therefore, there is no harm in corruption, or in any species of public robbery? The city of *Westminster* and the Borough of *Southwark* have proved that they, at least, merit not this accusation; and I do earnestly hope, that the county of Cambridge will follow their example, and, in so doing, set a noble example to other counties. There never was, perhaps, an occasion, when any body of electors had so fair an opportunity of distinguishing themselves as you have at this moment. The general principles of Mr. Yorke; his proved hostility to some of the dearest of our rights; his recent conduct, and his recent reward; his being compelled to appeal to the people, just enriched, as he is, with a sinecure, a thing, I believe, never before grasped at by a *county* member, even in the most shameless of times: all these circumstances combined have naturally excited an uncommon degree of interest as to the ensuing election, and have fixed upon you the eyes of the whole nation: every one is waiting to know, whether the being a *Cambridgeshire man* shall, in future, be considered as a mark of honour or of shame. The case is so plain, that it admits not of dispute. It is not like ordinary cases, where men on both sides may claim credit for uprightness of intention. Here there can be no allowance for error of judgment. Your conduct must be right, or your intention must be wrong. The great, and, indeed, as I should hope, the only danger, will arise from *negligence*. Great is the majority of those Freeholders in *every* county, who may, if they will, act an independent part; but, then, they are apt to be backward to act *at all*, which is, in a case like the present, full as disgraceful as it is to act wrong. What remorse must that man feel, who, having had it in his power to save the honour of his county, and to do so great a service to his country, shall neglect to do it, through indolence or from any insignificant motives? Each man of you should feel upon this occasson, as if the salvation of your country depended upon his single efforts. Instead of each man saying, what can *I* do; each one should say, the whole depends upon *me*; if *I* am not there, *no one* will be there; it is upon *my* voice that the honour of my county and the good of my country rest. And, how little, alas! is the trouble or the cost of the requisite exertions! Which of you does not spend, every month in the year, more time and more money in mere amusements: in pursuits, which when compared to the one now contemplated, are too trifling to merit a thought? In the hope that each man of you will put this question seriously to himself, and in reserving some further observations for another Letter, I remain,

Gentlemen,
Your friend,
and obedient Servant,
WM. COBBETT.

London, 8th March, 1810.

SUMMARY OF POLITICS.

LORD CHATHAM.——In page 281 of the present Volume, the famous Narrative of

Lord Chatham was inserted. On Friday and Monday last, a debate took place, in the House of Commons, upon a motion of MR. WHITBREAD, the purport of which was, a censure on Lord Chatham for having laid the said Narrative before the king, and, upon which motion the ministers were left in Minority, there being for the motion 221 and against it 188.——Previous to this, there was another question carried against the ministers, the history of which was as follows.——Lord Chatham, after his Narrative was before the House, was questioned upon the point, whether he had not laid some *other paper* before the king, relative to the Expedition; but, upon this head his lordship *positively refused to give any answer.* Whereupon Mr. Whitbread moved an address to the king for the production of any such paper, if any such had been laid before him. The ministry *opposed this motion;* but, it was finally carried against them. ——The answer from the king was, that he had no other paper of the kind from Lord Chatham; but, that, on *the 15th of January,* his lordship did lay before him this same Narrative. Let us, however, as the best, and even the shortest way, insert the king's answer.——"The Earl of "Chatham having requested his Majesty "to permit him to present his report to "his Majesty, and having also requested "that his Majesty *would not communicate it* "*for the present,* his Majesty received it "on the *15th of January* last, and kept it "till the 10th of this month, when, in consequence of a wish having been expressed by the Earl of Chatham, *to correct the same,* his Majesty returned it to "him. The report, as altered, was again "tendered to his Majesty, by the Earl of "Chatham, *on the 14th of this month,* when "his Majesty directed it to be delivered "to his Secretary of State, and his Majesty has not kept any copy or minute "of this Report, as delivered at either of "those times, nor has he had at any time "any other report, memorandum, narrative, or paper, submitted to him by the "Earl of Chatham relating to the late expedition to the Scheldt."——Upon this answer being given to the House the aforementioned debate took place; and, as was before stated, the motion of censure upon Lord Chatham was carried against the ministers, who made every effort to prevent the passing of such censure.——This debate, though it lasted two days, or, rather, *nights,* is by no means an interesting one. It was so managed as to present us with the view of a mere battle for power; and, so much of the indirect object of it peeped out, that it lost much of the high character, which of right belonged to it.——The resolutions, proposed in Mr. Whitbread's original motion, were these:—"FIRST, That "John Earl of Chatham, having requested "permission of his Majesty to present to "him a narrative of his proceedings, did "on the 15th of January, privately submit to the King a paper, bearing date "the 15th of October, purporting to be a "narrative of the proceedings of his Majesty's land forces under his command, "of which he withheld all knowledge from "his Majesty's Ministers, and the Admiral "commanding the naval part of the Expedition, whose conduct he had implicated in no fewer than twelve parts of "his narrative, and that on the 10th of "February it had been returned, in consequence of a request from him to that "effect, and that the same was again tendered on the 14th of February to his "Majesty, having been altered, by the "omission of a paragraph, containing an "opinion, the substance of which, from "the examination of Lord Chatham, they "had not been able to ascertain.——SECONDLY, That it is the opinion of this "House, that John, Earl of Chatham, having thus acted, had been *guilty of an* "*unconstitutional abuse of the privilege he* "*enjoyed* of having access to the throne, "which could not but tend to be highly "injurious to the public service."—— There was afterwards some modification of the words in *Italics;* but, that is not material.——The first Resolution is merely a statement of acknowledged facts, and, of course, calls for no observation. The second Resolution contains the censure; and, though there can be little doubt, that the conduct of Lord Chatham was censurable, this really does not appear to me to have been the best way of proceeding. I see nothing *unconstitutional* in any commander's presenting a Memorial, or a Narrative, any more than in any one's presenting a petition, to the king. Where is the *law* that forbids it? Where is the *maxim,* where is the *principle,* where is even the *construction* of law, that forbids such an act? The words *constitutional* and *unconstitutional* are extremely dangerous words; because they may be made to mean any thing that any man pleases to make them mean. They are, like JACK'S will, "of Catholic utility." When our

forefathers made the Revolution, and raised the present family to the throne of this kingdom, they never thought it of any great consequence whether a man should or should not go to the king with a paper of any sort; nor can I any where find, that they made such a clamour about *secret advisers*. This is a subject of complaint, that I can never understand. I do not see what mischief can arise from what is called *secret advice*. And, how is it possible to prevent the king from receiving such advice? If the advice breaks out into *acts*, then there is a ministry, responsible for what is done; for, if the king follows other peoples' advice, all that is in it, is, that the ministers ought to quit him. It has always been a favourite doctrine with the Whigs to consider the king as a mere man of wax. According to their doctrine, he is to have neither ears, nor eyes, nor tongue. Well, really, if this be so, why perform the empty ceremony of presenting Addresses and Petitions to him? Why complain, that the petitions of the people lie unopened at the office of the Secretary of State!——But, though I do not blame Lord Chatham for presenting a Narrative to the king, the *manner* of doing it I may and do blame. He wrote his narrative, he says, on the 15th of October; he presented it *on the 14th of February;* but, it now appears, that he did present it sooner, namely, on the *15th of January*, a week *before the parliament met*. He is to blame for having *enjoined secrecy* on the king. Good God! what an idea! As if he had said, as, indeed, he did say in effect: "Here is my narrative, "Sir; but don't you let any one see it for "the present; that is to say, till I tell "you."——This really is like dropping in to take a mutton chop with a man. However, if the king liked it, the point of ceremony was wholly between him and his General. But, then, this narrative did certainly contain very broad insinuations against Sir Richard Strachan; and that being the case, it was an *underhanded* act to present it without first apprising Sir Richard of its contents, or, at the very least, no promise of *secrecy* should have been asked of the king.——All this, however, is nothing when compared with the question which here arises between the *ministers* and the *country*.——This narrative of Lord Chatham contains most important information respecting both the *policy* and the *conducting* of the Walcheren Expedition. Observe; it was written *on the 15th of October*. Do you *believe*, reader, that it lay quietly until *the 15th of January*, without being shewn *to any of the ministers?* Can you believe this? What was it drawn up for? The attacks upon Lord Chatham were going on daily in the news-papers. Is it likely, that he kept his defence in his pocket, 'till the 15th of January, without letting it see the light? Is it likely that he, who has no parliamentary interest, would set his colleagues at defiance by going to the king with his narrative before he shewed it to them? Nay, that he would *request the king not to show it to them?* Well; and supposing all this; supposing, that he really did thus keep the whole matter a secret from them till the moment when the paper was brought before the House of Commons; supposing this, do you believe, reader, that, in that case the ministers would have defended him, would have made such great exertions to save him from censure, and would even have risked a division which threatened to be so fatal to them? Is there in any sane mind credulity equal to a belief of this? I am convinced, that there is not a man in all England who believes it; and, indeed, it is almost an insult to the understanding of the public to have said so much upon the subject.——Well; now let it be remembered, that the ministry, the Walcheren ministry, the Jubilee ministry, advised the King, on the 20th of December, more than two months after the Narrative was written, to tell the city of London, in answer to their petition for Inquiry, that he did not intend to institute any Inquiry relative to the Walcheren Expedition. But, more especially let it be remembered; let it be borne in everlasting remembrance, that this Narrative of Lord Chatham was not amongst the papers laid before the House of Commons, in pursuance of the promise made in the Speech at the opening of the session. In that Speech the parliament were told, IN THE KING'S NAME, that he would cause to be laid before them such papers, relative to the Expedition, as, HE TRUSTED, would be *satisfactory*. Amongst the papers laid before the House of Commons, *previous to the Inquiry*, this Narrative of Lord Chatham *was not*, though it is now confessed that the king had it in his possession on *the 15th of January*, that is to say, *eight days before the Speech was made to the Parliament*, and that it remained in his possession until the first week in February;

and, of course, it must have been in his possession, at the very moment, when *a promise was made in his name*, to lay before parliament such papers as he trusted would be satisfactory. At the time, indeed, when the other papers were laid before the House of Commons, it is said that this paper had returned for a few days, into the possession of its author; but why was not the House told, then, of *the existence* of such a paper? Why were they not apprized that such a paper was coming? The case is too plain to need another word: and, yet the ministers defend this Lord Chatham at the risk of their places! Would they have done this, if they, as is now pretended, had been kept in ignorance as to the existence, or the purport of this paper?——Those who believe in Fairies would reject the belief of this.——I shall only add, upon this subject, that, from the Lists, printed in the news-papers, it appears, that Sir Joseph Yorke, the brother of Mr Charles Yorke, voted for Lord Chatham upon this occasion, or, at least, against Mr. Whitbread's motion of censure; and that Lord Mahon, the *Surveyor of Green Wax* and *Keeper of the Records in Birmingham Tower*, did the same.

Reversion Bill.——This bill has, from some deficiency in point of *form*, failed again in the Lords; and another, it seems, is to be brought into the House of Commons. Mr. Peter Moore said, upon this subject being, the other day, before the House, that "this was a most unfortunate bill; it had had *many nurses* and "was yet *stunted in its growth*; and notwithstanding all its friends, he was "afraid it was not destined to come to maturity. He thought that the House "ought not to abandon itself, and should "pass Address upon Address rather than "give up their opinions upon this measure.——He maintained, that the best "service that could be done the Empire "was to take care of the Finances. He "adverted to the case of Mr. Steele, "who had not been made an example of "—so that other defaulters were encouraged. He then mentioned the cases of "Mr. Villiers and Mr. Hunt, which had "occurred since; and stated, that of the "balance of 90,000*l.* due to the public, "30,000*l.* had been due from the year "1805, when Mr. Hunt was Treasurer "of the Ordnance before. *How many "families must be called upon for taxes to "make up these balances?* He thought the "Bank might do for nothing the portion "of the business of the public at present "conducted by them, on account of the "use of such an immense sum of public "money, by which they were enabled to "discount to the amount of from a million "and a half to two millions a week. He "then adverted to the little satisfaction "the public had received with respect to "the *Loyalty Men*, Mr. John Bowles, "&c. &c.; and concluded by declaring "his preference of the mode of Address, "as it kept the subject in their own "hands."——This is the sort of Speech, to which Mr. Yorke alluded, when he said, in answer to Sir Francis Burdett, that our greatest danger arose, not from Buonaparté (poor gentleman! as if he knew any thing about Buonaparté's views!): no, no; not from Buonaparté, "but from *Speeches made in that House*, "which gave a sanction to designing "persons to circulate sentiments that "made us hate one another." Yes, if Mr. Yorke had been present, you, Mr. Moore, would certainly have incurred his *lofty* displeasure. What! would you, then, make us hate Mr. Steele, that old bosom companion of the minister who lent forty thousand pounds of the public money to Boyd and Benfield (then two members of parliament), without the sanction of parliament or the consent of his colleagues? Would you have us hate Mr. Villiers, the *Right Honourable*, I believe, who, during a great part of this Jubilee reign, has been one of the most choice favourites at Court? "How many *families*," indeed! What are families, when compared to *Mr. Villiers* and *Mr. Steele* and *Mr. Hunt* and our old friend *John Bowles*? ——These are the Speeches, which, according to Mr Yorke's notion, "*make us hate one another*;" make us hate such worthy people as those just mentioned. Very true, they do, in good earnest, tend to make us hate them; but, where is the *harm* of that, Mr. Yorke? Pray tell us, where the harm of that is. Pray tell us, why we should not hate them. But, above all things, thou sapient man, do tell us, how our hatred of such persons can tend to produce *public danger*. Do have the goodness to tell us, how it can possibly be, that our hating the Steeles and the Villiers's and the Hunts and the John Bowles's has a tendency to expose our country to danger. Or, if you are too busy to explain the mystery to the rest of us, do have the goodness to ex-

plain it to the Freeholders of Cambridgeshire.——The truth is, that this complaint was of a piece with all the rest of Mr. Yorke's conduct for some time past. It was intended to prevent, or check, the expression of wholesome truths in the House, and to prepare the way for the prevention of a repetition of them out of the House. This scheme, however, has hitherto failed, and, I trust, the people of Cambridgeshire will set upon it a mark of their reprobation.

Want of room compels me to postpone the observations, which I intended to have made upon the case of MR. FULLER; upon the CITY OF LONDON PETITION against the pension to Baron Douro and Viscount Talavera (the town where our sick and wounded were left) and his two generations; upon the not hearing any thing lately about *the Rev. Mr. Beazeley,* who offered the Duke of Portland a bribe and who wrote a No-popery pamphlet; upon the subject of the Catholic Claims, and the dispute about the *Veto;* and, though last not least, upon the subject of the *Honourable* WARWICK LAKE'S Court-martial, respecting the *putting of an English Seaman on shore upon a desert Island,* not forgetting the conduct of SIR ALEXANDER COCHRANE, and which subject must and will find its way to the heart of every man in this kingdom.

☞ In consequence of a wish expressed by MR. WRIGHT, the Editor of the PARLIAMENTARY DEBATES, I think it right to state, that, in my observations upon the conduct of MR. WINDHAM, at page 206 of this volume, where I say, that MR. WINDHAM *consulted with* Mr. Wright as to the best place of standing in the House and the way to modulate his voice, it was not meant to convey the idea, that Mr. Windham was the *first mover* as to such consultation. The fact, as Mr. Wright says, was the contrary. He first mentioned the thing to Mr. Windham, in consequence of his being requested so to do by several of the Reporters, who expressed their regret that they could not hear him distinctly. But, the circumstance was not stated by me as containing matter of *blame,* any more than was the other circumstance of Mr. Windham's taking so much pains to have his *speeches printed and corrected,* to do which I myself had urged him many and many a time. Not in the way of blame were these things mentioned; but merely to show, that, at the bottom of his heart, he had not that contempt for the persons, connected with the press, which his speech was calculated to make the world believe he had.

WM. COBBETT.

London, 9th March, 1810.

COBBETT'S
Parliamentary History
OF
ENGLAND,

Which in the compass of Sixteen Volumes, royal octavo, will contain a full and accurate Report of all the recorded Proceedings, and of all the Speeches in both Houses of Parliament, from the earliest times, to the Year 1803, when the publication of "Cobbett's Parliamentary Debates" commenced.

The numerous Subscribers to the above Work are respectfully informed, that the Sixth Volume, embracing the period from the Accession of Queen Anne, in 1702, to the Accession of King George the First, in 1714, will be ready for delivery on Saturday the 31st instant.

Trial of Mr. PERRY, *and Mr.* LAMBERT, *for a* LIBEL, *continued from p.* 352.

Gentlemen, I most perfectly acquiesce in the clear truth, propriety and necessity of the rule which his Lordship has laid down, as to the description of matter which I may desire to be read. If I were so far to forget the respect which I owe to the Court and to you, as to desire passages quite extraneous and foreign to the subject to be read, and attempt to create an argument from them, I should be properly rebuked by the Noble and Learned Lord. But I am not so bewildered. I know that nothing would be more absurd than to attempt to join things which have no connection. If we were charged, for instance, with the insertion of a paragraph offensive to morals, or with any crime the most intolerable and abhorrent to our natures, such as blasphemy or impiety, and that we were to bring a thousand paragraphs to prove our loyalty or our patriotism, they would not, and they ought not to stand us in any stead, for we can only adduce that which is pertinent to the matter in issue. But when I agree to this, I must lay in my claim, that the mere disjunction of paragraphs, which are kindred in tenor, and appropriate to the case, shall not nul-

lify them, nor deprive me of their benefit; for the Noble and Learned Lord will tell you that you have a right to take the whole paper into your view—That such has been the Noble and Learned Lord's own just practice, and recommendation to Jurors, when he told them that the mind and intention of the Defendants were to be made out and ascertained from the whole tendency of the book or paper upon which the record was bottomed.

Now, Gentlemen, let me beg of you to attend to the immediate cause and reason of the appearance of the paragraph complained of in my Paper of the day mentioned. There is, as I said before, a full, temperate, and faithful narrative of the offer of negociation which had been made by Mr. Perceval and Lord Liverpool, to Lord Grenville and Lord Grey—and there is contained in that narrative a train of reasoning upon the terms of the overture that had been made, on the answers thereto, and on the result. Having prepared and digested this paper, and delivered it to Mr. Lambert for insertion in *The Morning Chronicle*, I met with this paragraph in a respectable and well-written Sunday Paper (*The Examiner*), and finding it to harmonize with the Essay I had prepared—I took it as a fit and appropriate postscript; a just corollary from the foregoing propositions, and I directed it to be copied accordingly. I do not come here, therefore, to prate about negligence, or oversight, or creeping in by accident—No, I took it with my eyes open, in the morning, with my senses fresh, and with the entire approbation of my judgment as to its innocence. The first passage in the narrative, Gentlemen, to which I would beg leave to draw his Lordship's attention and yours, is in the second column of the second page, and is as follows:—

"Lord Grenville arrived in town on Thursday last, the 28th, at night, and, it is understood, that on the 29th he communicated to Mr. Perceval that he could not, consistently with his principles, have any interview, or enter into any discussion with him, with a view to his forming an ACCESSION to the present Administration, as he considered their measures to be most objectionable in every respect, and he could never approve the principles of their formation. It is understood that when he said this, he begged to express his most invariable and profound sentiments of respect for his Majesty; that his conduct and principles he trusted had always been calculated to *heal, not to foment, the divisions of the empire*, but that he could not view what was proposed as tending to that end."

This will serve to shew you what was the feeling of the mind of that great and superior Statesman, as to the character and tendency of the system to which he was invited to accede, and in which his declaration is distinctly stated, that his conduct and principles had always been calculated to heal, not to foment, the divisions of the Empire, "but that he could not view what was proposed as tending to that end." Upon this the narrative proceeds to reason, and the whole tendency, purport, and drift of the subsequent argument is to shew that by a different course of proceeding—namely, if the Noble Lords had been commanded to attend his Majesty in person, there would have been an *immediate* prospect of a change of system that would have tended "to heal, not to foment, the divisions of the Empire." And this is particularly expressed in the next passage, to which I beg leave to draw your notice—where it is said:

"If the question relates to prospective measures, whether of war, negociation, commercial intercourse, or domestic economy. If in those great leading lines of Government the conduct is to be directly the reverse of that which has been pursued, who shall represent to the Sovereign the wisdom of the measures that are to be proposed, or the mischief of those that are to be abandoned? Are those whose aid are asked in the crisis and exigency of public affairs, to be shut out from this communication; and is it to be entrusted to those who have a direct interest to give the representation a false colour, and, independent of interest, have views of the question calculated to mislead their judgment."

So much for my meaning, as to the change of system, meaning a total change of measures only, but that that total change would bring a crowd of blessings in its train "immediately and of course."

Ah! but the period was to be postponed—No blessings till after the demise of our Sovereign Lord the King—and the crime of the charge is, that I postponed this happy period until that day which we all trust may be so distant. Read the paragraph which introduces that which speaks of the King, and of the Heir Apparent, together with that paragraph itself—and then see, Gentlemen, what interpretation you will put upon my adopted paragraph. It is as follows:

"Awful as the crisis is, and arduous as the task would be, we may conclude from their principles and conduct (meaning the principles and conduct of Lord Grenville and Lord Grey) that they will be ready to devote themselves to the service of their King and Country. But they cannot, consistently with these principles, permit Lord Liverpool and Mr. Perceval to be the persons to communicate their thoughts and views—a rule of action which we conceive to be most correct; not dictated by any narrow-minded principles of exclusion, but resting upon those sound and well considered views of the constitution which ought to govern their conduct as statesmen in this most important and interesting matter.

"We ought to add to this statement, that his Royal Highness the Prince of Wales has, upon this most curious and interesting occasion, taken a line which must exalt his character and endear him to his country. The sentiments of his Royal Highness on the awful crisis of the empire, and of the character of the measures which have led to that crisis, are not unknown. He feels on the subject like every other enlightened man, but more strongly, perhaps, because he has a deeper interest than any other in its welfare: but, from some unfounded rumours respecting his interference in the arrangements which were in contemplation, the Prince has thought it his duty to express to his Majesty his firm and unalterable determination to preserve the same course of neutrality which he has maintained, and which, from every feeling of dutiful attachment to his Majesty's person, from his reverence of the virtues, and from his confidence in the wisdom and solicitude of his Royal Father for the happiness of his people, he is sensible ought to be the course that he should pursue. We have no doubt but that this assurance of the filial respect of the Heir Apparent, in not interposing his high influence in the forming of an administration, will be most acceptable to his Majesty."

I pause here, Gentlemen, and fairly put it to you, whether I might not safely leave my whole case, and that of my faithful friend, in your hands here, with this demonstration of my feelings, with this declaration of my opinion before you. Will any fair man say that I do not in this paragraph inculcate the duty of love and reverence for his Majesty, by stating, not merely my own ideas of his royal virtues, of his wisdom, and paternal solicitude for the happiness of his people, but the opinion and feeling of the illustrious personage, the highest subject in his empire—the most interested next to himself in its welfare—and whose example of reverence and devotion was so well calculated to inspire confidence and attachment in every class of the community? Gentlemen, this paragraph, so expressing his Royal Highness's sense of his Majesty's paternal wisdom and solicitude, I declare this day, in the presence of God and my country, I wrote, and that it expresses my own sentiments as one of his Majesty's most humble subjects.

Is there any thing here that talks of postponing the blessings to another reign? No, directly the reverse. There is present consolation held out to the people in the assurance of his Majesty's wisdom and paternal solicitude, and there is the cheering prospect of their being perpetuated by the description of the virtues of the Heir Apparent. I feel that I am brought here improperly, and that, instead of being charged with this as an offence, I should have received the thanks of every good friend of the Monarchy for the sentiment I promulgated.

I confess my astonishment that we should be brought here upon such a charge. And I have endeavoured in vain to find a reasonable justification for the Law Officers of the Crown in this proceeding. I cannot bring myself to believe, that they acted on the hasty and intolerant animadversion that was made upon the text by a rival Journalist the next day—an animadversion that was more than ordinarily coarse and violent, but I cannot help thinking, that the comment of the *Morning Post* has been officiously read, so as to make the impression in some quarter from which this prosecution originates: and that it is not the well-considered result of an examination of the paper by the Learned Gentlemen themselves.

[Here the Attorney General interrupted Mr. Perry, and appealed to the Court. He said, that he had remained silent longer perhaps than he ought, and suffered the Defendant to wander from the point at issue; but now that he was drawing into observation persons not in the Cause, and not in Court, and even naming them, he must interfere, and say that he could not submit to the irregularity.

Lord ELLENBOROUGH said, that if Mr. Attorney General had seen reason to stop

Mr. Perry before, he might have done so. If he had himself seen any material cause for interference, he certainly should have felt it his duty to have done so—although when a Gentleman came into the Court to speak for himself, they must not be fastidious if he did not entirely regulate himself by the established forms of their proceeding. Mr. Perry certainly must abstain from personal allusions.

Mr. Perry said, My Lord, I respectfully submit to the rules of Court, persuaded as I am that my ignorance of its forms will not be taken as a trespass; and that under your Lordship's protection I shall not be unnecessarily narrowed in my defence. I was only endeavouring to find a motive to account for the prosecution, and I am perfectly sensible that their motives can be no justification of my conduct, if wrong.*]

Mr. Perry proceeded—Gentlemen, take the paragraph by itself, unconnected with the illustration which I have given, and see if it can be tortured into the meaning which is put upon it. It does not alledge that the successor of our present Sovereign Lord is to be more popular, it states only that he has the finest opportunity of becoming nobly popular. Can these words involve even the insinuation of disrespect to his Majesty's sacred person? May they not rather be fairly construed into a most courteous and loyal compliment? Have I not a right to say that the duration of his Majesty's happy reign, the Fiftieth Anniversary of which we are now celebrating as a Jubilee, has given the finest opportunity (of which the paragraph speaks) for the Heir Apparent to learn the means by which he may make himself nobly popular? Was there ever an Heir Apparent since the Revolution—since the establishment of the Monarchy—since the beginning of the world, that did possess such opportunities as his Royal Highness the Prince of Wales? Did ever Prince study the art of Government in such a school—or did ever Prince undergo such a probation, as the length of his Royal Father's reign, and the fearful events which have passed under his eye, have afforded to his Royal Highness? Nay, after all, what is this, but what happens every day in colloquial discourse when it is a common flattery? Gentlemen, if I had not determined to abstain from every thing that could have the air or tone, or emphasis of elocution—that could be thought to be an attempt to engage and to work upon your feelings,—I could here adduce the most beautiful and the most tender passages from ancient and from modern writers—from the pages of the historian and of the poet, to shew that in all times and by the most sublime allusions, it has been considered the most endearing sentiment to the heart of a parent, that his virtues and his glory were to survive, and even to be transcendant in his son. But I am not come here, Gentlemen, to attempt to stir the emotions, but simply to address the understanding—And I may surely say, without disparagement of the Parent, that the Son may be nobly popular by following the example he has set, by treading in his steps, by having become so intimately acquainted with the character, with the feelings and with the interests of the people he will in due course of time be called on to govern—and what I conceive to be also most favourable, that he will be of a mature age, to chuse the persons, of whose experience, ability and maxims of Government he has had such means of being so thoroughly acquainted, as to enable him to give to his own free choice of his Administration the confidence of his subjects.

---

* The following is the passage alluded to:—

"Never, surely, was any thing more calculated to insult the good sense or horrify the pure and amiable nature of his Royal Highness, nor was ever any thing more calculated to call forth the indignation and execration of a loyal and admiring people, upon the wretch who is capable of broaching ideas so repugnant to the feelings of the illustrious Heir Apparent, and to the ardent wishes of every good and virtuous subject. To the indignation and execration of the British nation do we therefore consign this damning specimen of the abominable and infamous sentiments by which the base faction are impelled in their most unprincipled and diabolical pursuits."—Morning Post, 3rd October, 1809.

The allusion was really made to the above article, in order to shew the Editor of that paper (who when out of political contest is a most friendly and obliging man,) and to shew Editors in general, how indiscreet it is to throw unprovoked odium upon one another. If the press would only be true to itself, it would be unassailable.

But, Gentlemen, I am able, fortunately, to shew you, by that which must be present to all your recollection, that at the time of the publication of the paragraph in question, there was a great topic of public interest in universal discussion, the nature and meaning of which you will discover in the context to which I have drawn your regard. At that time Parliament was not sitting. Public agitation was at its height: The topic was in every mouth; and the *Morning Chronicle* was the field of discussion on one side, as rival Journals were on the other. It was perfectly understood what was meant by the allusion of Lord Grenville to the principles which would tend *to heal, and not to foment the divisions of the Empire.* And to shew you that at the time my reasoning on the subject was taken and construed to mean distinctly, that the blessings which would crowd upon us by a change of system, would arise *directly*, and not *remotely*, if the Noble Persons who had been applied to as fit and proper Ministers, to strengthen and uphold the then enfeebled, tottering and disorganized Cabinet, had had the oppoftunity presented to them of impressing on his Majesty's Royal mind the conviction with which they were themselves impressed, I have only to recall your memories to the discussions of the time, and to the declarations which were understood to come from authority. Nay, I can shew you, that the reasoning of this very paper was so understood by that authority, and so answered on the very day subsequent to my publication. I presume, my Lord, I may be permitted to read, as a part of my speech, a paragraph to this effect, in direct answer to my article, from a paper which was published the day after?

Lord ELLENBOROUGH said, that if it was a paper published after the appearance of the paragraph in question, it certainly could not avail the Defendants in shewing their mind or intention in the previous publication; and he informed Mr. Perry, that he could not draw any inference from any paper whatever, without putting it in and proving it regularly as evidence; in which case the Prosecutor would have the power to adduce evidence to rebut it if he should think fit.

Mr. PERRY. I thank you, my Lord. Gentlemen of the Jury, I am grateful to his Lordship for the information by which your time will be saved, and by which I feel that I shall be served, for the paragraph I was going to read, might have led me into a train of reasoning, which I am sensible, upon reflection, it will be discreet for me to avoid†. Gentlemen, it is only necessary for me now to say, that not only from the paper of the day, but from all that I ever published, I wish you to form your judgment of my intention on this one act. It is in my opinion, from the whole body and tenor of a volume, that its tendency is to be taken, and a journal, though the numbers are published successively, is of the same character. You must look to the style, drift, and spirit, with which it is written, and the doctrine which it strives to inculcate. Gentlemen, try us by this most faithful, but most piercing test. More than thirty-three years of my life have I been engaged either as the Editor or Proprietor of a Public Journal—more than twenty years has my faithful friend laboured by my side, and that we are both destined to persevere in the labour may be owing to the integrity we have practised in it.

(To be continued.)

† The paragraph which Mr. Perry proposed to read, appeared in a very long, ingenious, and candid answer (seemingly from authority) in *The Courier*, to the article in his Paper on the day before. The words were as follows:

"We had hoped indeed, that the known "opinion of the King, the known opinions "of the Country upon this question, and "the manner in which Lord Grenville had "been disavowed by the Roman Catholic "Bishops in the part he took in their name "in the last Session but one, might have "induced a disposition, without any "pledge or any assurance being given or "required, to have formed a govern-"ment with persons who are known to "think, that *at least during the King's life* "*that question should be kept at rest.*"

It is also to be remembered, that in *The Morning Chronicle* of the 4th October, the insulated paragraph, now complained of, was declared, "to express only a fer-"vent hope that the religious prejudices "of the present reign might not be per-"petual."

LONDON:—Printed by T. C. HANSARD, Peterborough-Court, Fleet-Street:
Published by R. BAGSHAW, Brydges-Street, Covent-Garden:—Sold also by J. BUDD, Pall-Mall.

COBBETT'S WEEKLY POLITICAL REGISTER.

VOL. XVII. No. 11.] LONDON, SATURDAY, MARCH 17, 1810. [Price 1s.

There is a *sinecure place*, which is, at present, held by the EARL OF BUCKINGHAMSHIRE (late Lord Hobart), which place is worth £.11,094, or, in words, *eleven thousand and ninety-four pounds*, a year. The reversion of this enormous salary, that is to say, the possession of it *after the present possessor's death*, has been obtained and secured by LORD HARDWICKE, not only for himself during his life, but, beyond that, *for the lives of his two sons*; and, this Lord Hardwicke is, as the reader will recollect, *a brother* of MR. CHARLES YORKE.

MR. CHARLES YORKE, of whom the public has, within the last twelve months, heard so much; that Mr. Charles Yorke, who, upon Mr. Wardle's opening of the Charges against our late Chieftain, solemnly declared his belief that there was a Jacobinical Conspiracy on foot against the illustrious House of Brunswick; that Mr. Charles Yorke, who, from the moment the Walcheren Inquiry began, moved the Standing Order for shutting the Debate Reporters out of the Gallery; that Mr. Charles Yorke, who, when a motion was made for Inquiry, which motion was opposed by the minister, declared that he thought it his duty to stand by the minister, because the minister had resolved to stand by the king; aye, that very Mr. Charles Yorke, has, within this week, received through the hands of that same minister, a grant, for life, of a *sinecure place*, (or place where nothing is to be done) called a Tellership of the Exchequer, worth £.2,700 a year; that is to say, he has thus secured, for his whole lifetime, *two thousand seven hundred pounds a year* to be paid to him out of the taxes, raised upon the people of England.

"Off! Off! No mock Loyalty! No Cant!"

SUMMARY OF POLITICS.

CAMBRIDGESHIRE ELECTION.——In my last Number, at the close of a *Letter to the Freeholders of the County of Cambridge*, I expressed my intention of addressing another Letter to them, upon the same subject; but, I am happy to perceive, that they neither *want* nor *wanted*, any Letter from me, or from any body else, to induce them to act a part worthy of uncorrupted Englishmen; Englishmen having still a proper sense of what is due to them from their rulers. The reception, which MR. CHARLES YORKE, that constant supporter of every measure hostile to the public purse, and to public freedom; the reception which this gentleman met with at Cambridge, at the *Nomination*, on Tuesday last, the 13th instant, is, however, of great importance, in many points of view, that a particular account of it demands, in my opinion, the precedence of all other matters, with the sole exception of that, to which I shall, in the latter part of this Number, have to call the public attention. ——In my next, which will be a *double number*, I shall insert all the speeches, at full length, made upon this memorable occasion. What I shall now offer to the reader will be merely an account of what passed, upon the occasion referred to, together with such observations as have occurred to me thereon, and as I am led to hope may be of some little use in furthering the great work of effecting *a legal and constitutional reform* of that House, who, last year, rejected MR. MADOCKS's motion for an inquiry into the *sale of seats*; that House, who, this year, have voted away 2,000*l.* a year of our money for three generations to the man who left his sick and wounded to the mercy of the enemy, upon the very spot whence he takes his title of Viscount; that House, who, while we are actually sinking under our burdens, have just voted nearly a million of money for the purpose of taking 30,000 Portuguese troops into our pay; that House, who, while it has, this Session, reduced the numbers of our *native* army, has augmented the *German* army, now maintained in this kingdom; that House, in short, without a reform of which no good can be expected, no change for the better, no alleviation of our burdens, no punishment on the heads of Public Robbers, no justice for an injured and insulted people.—— The first circumstance, which I have to notice, is, to me, a most pleasing one, namely, that, in opposition to MR. YORKE, or rather his intolerant and tyrannical principles, there appears to have been arrayed, not only great talents, but *great property* and *high rank*. A Mr. KEENE

proposed Mr. Yorke and was seconded by a MAJOR PEMBERTON. These are men who may be known in their *neighbourhoods;* but, they are utterly unknown in the *nation;* while, on the other side, we see LORD FRANCIS OSBORNE proposed by the MARQUIS OF TAVISTOCK, seconded by MR. BRAND, men who are well known to the whole nation, and to receive praise from whom is, of itself, no small honour.—— Mr. Yorke seems to have been surprized at the thunder of indignation, with which he was received by those who had sent him to parliament for 20 years past; and he complained grievously of the being *refused a hearing.*——Oh! then it was that he might have been reminded, that Mr. GALE JONES was, upon *his motion*, sent to Newgate, *without any trial*, there to be kept *during the pleasure* of those who sent him: and then it was that he might have been reminded, too, that he was one of the forwardest in supporting Pitt in the measure for suspending the *Act of Habeas Corpus*, in consequence of which suspension, so many persons were sent to prison, and there kept, *for years, without any trial*, without *any crime alledged against them in any court of justice*, and when finally let out of prison (those who *lived* to be let out), *without being able to obtain any redress.* While the air was ringing with shouts of indignation at the very sight of him, and when, in a few hours after, he intimated his intention of declining the contest; in those moments of humiliation he must, one would suppose, have reflected a little upon his past manly conduct, and upon the sufferings of Mr. GALE JONES, who, upon his motion, had been sent to Newgate (where he then was, and where he still is) for having called Mr. Yorke's conduct, in shutting the Gallery, "*an outrage upon public feeling*," and having advertised his intention of having a *discussion* thereon. For this was Mr. Gale Jones, *without any trial*, and by the sole power of the *offended party*, sent to jail; and, upon this point, as well as others, did the Freeholders of Cambridgeshire express their opinion. Mr. Gale Jones proposed to *discuss* the conduct of Mr. Yorke, in causing the Gallery to be shut, and Mr. Yorke caused him to be put into jail for such proposition; but, the first greeting he got from the Freeholders of Cambridgeshire, from those who sent him into the House of Commons, was, "*Off, off, clear the Gallery! Is it again to clear the Gallery that we are to re-elect you?*" This was the first salute he received, not from a *rabble*, as he would have called the people in Westminster, but from the very persons who had sent *him* to parliament: these very persons saluted him with a repetition of that for having uttered which he had caused Mr. GALE JONES to be sent to Newgate. What a rich thing it would be, if he were, after getting in again, through the stinking channel of some rotten borough, to move for the sending of his old constituents to Newgate! And, why not! They told him, not only of his shutting the Gallery, but of many other of his parliamentary feats, many other his despotic acts and attempts, such as moving for the *imprisonment* of MRS. CLARKE, during the investigation about the Duke of York. Well, then: why not bring up his old constituents, and put them in jail too? What right had the House to put Mr. Jones in jail, any more than they would have to put the Freeholders of Cambridgeshire in jail? —— This, by-the-bye, is a question that must not be dropped. The House has negatived Sir FRANCIS BURDETT's motion, and some of them have declared, that they have the right of committing people to jail, who do not belong to their own body; but, this is a point which is yet to be discussed. It is yet to be *settled*, and made known to the world, whether there does really exist, in England, any man, or any set of men, having the legal right of sending whom they please to prison, *without a trial*, and keeping persons, so sent to prison, in prison *during the pleasure* of the party exercising such power. Yes, sure; we will endeavour to *ascertain* this point; we will endeavour to know, whether there be, in England, any body who can, at any time, seize any of us and put us into jail, and keep us there, during their pleasure. We will find out, and we will, before we *boast* any more about our *liberties*, *fix* the point, whether our "*representatives*" have the "*privilege*" of laying any of us by the heels, whenever they choose, and of keeping us so laid by the heels as long as they choose. I, for my part, never yet did vote for any member of that honourable House, in which Mr. Madocks's motion was negatived; and, I am sure I never will; I am quite sure that I never will vote for any one; yes, I am quite sure, that I never will help to choose any man to *represent* me, unless he will first promise me never to bring me before him and lay

me by the heels. Mr. Jones seems, from his excellent Letter,* to be resolved to bring this matter fairly and legally to issue, and, in so doing, he will confer a great benefit upon the country.——In returning to the Cambridgeshire election, it is not the mere circumstance of driving away Mr. Yorke so much as the principles, upon which it was done, that is of importance to the public. He was not opposed upon the old stale ground of *party*. It was not by a body of people, brought forward by great political leaders, that he was hooted off. It was by the real freeholders of a county, moved by *principle* and not by the weight of what is usually called *interest*. ——The speeches of the Marquis of Tavistock, Mr. Gunning, Mr. Brand, and the Rev. Mr. Brown, most ably and clearly state the grounds, upon which Mr. Yorke was driven away: namely, That he has been an uniform Supporter of an Administration, by whom the *pressure of taxation* has been increasing, until it is almost intolerable;—that he has supported those, under whom *hordes of Foreign Troops* have been introduced into this country, in defiance of every constitutional provision, and to the hazard of our rights and security;—that, upon a late Inquiry, he revived the old exploded cry of *Jacobinical Conspiracy*, with a view to prevent the adoption of the honest and unprejudiced opinion, which the nature of the charges against the Duke of York was calculated to produce;——that he has recently endeavoured by *enforcing the Standing Order*, to deprive the people of the slender and melancholy consolation of knowing who were the authors of their calamities;—in short, said the Marquis of Tavistock, such have been the political acts of Mr. Yorke, that, "*if the people* "*were fully and fairly represented in parlia-* "*ment*, he might go from county to "county, from town to town, and would "not get a single elective body to confide "in him."——Mr. Gunning, whose speech was not inferior to that of the Marquis of Tavistock, charged Mr. Yorke with having, from the first to the last moment of his career, been the advocate of *every oppressive act*, and the enemy of every attempt to *restore the blessings of the constitution*;——with having supported every measure for *increasing the burdens* and *diminishing the liberties* of the people;—— with having been amongst the foremost in supporting the *suspension of the Habeas Corpus Act*, and for *inflicting torture in Ireland*;——with having advised and justified the *ignominious Treaty of Amiens*, though he had denounced as *traitors and jacobins* all those who had, for years before, hinted at the necessity of peace between this country and France;——with his having attributed Mr. Wardle's charges to *a Jacobinical Conspiracy against the House of Brunswick*, though the investigation brought to light acts exceeding all others in grossness of corruption, in barefacedness of profligacy, in degradation of manners, though venality was proved in every department of the state, though the church was found not free from its baleful influence, though even its most dignified preferments were attempted to be procured through the intervention of a strumpet, yet this conscientious and uniform patriot could conceive no danger but from *a conspiracy of the press*;——with having proposed *to have Mrs. Clarke, a wit-*

---

* *To Sir Francis Burdett, Bart.*

Sir; I request permission to offer the tribute of my unfeigned thanks for your most able, legal, consitutional, unanswerable, and unanswered defence of the Rights and Liberties of the People, which you are of opinion, have been violated in my person. So strongly fortified is my mind, by the authority of your judgment; so fully assured am I that no Englishman can sustain any wrong, without having some remedy, that I am firmly convinced the House of Commons never had, nor could have, the privilege of exercising the power of passing a sentence of imprisonment upon any person, not a member of its own body, whilst the common law, Magna Charta, the Petition of Right, the Bill of Rights, the Act of Habeas Corpus, and the Act of Settlement, are the unrepealed laws of the land. Therefore I will never so far degrade my character, as humbly to petition for my liberty, which I boldly claim as my right.

"Forgiveness to the injur'd doth belong,
They never can forgive, who do the wrong."

Nor will I, "from a slavish fear, or private policy" compromise the Liberty of my fellow-subjects, by allowing a precedent to be drawn from my acquiescence, which, though it may relieve my weakly frame from a prison, must plant a sting for ever in my mind.—I have the honour to be, Sir, with the highest respect, your most humble servant,

John Gale Jones.

State Side of Newgate, March 13, 1810.

ness at the bar of the House, imprisoned, during an adjournment;——with having, upon all occasions, been the steady assistant of every minister, in doing whatever was inimical to the rights and liberties of Englishmen;——And, can you, said Mr. Gunning, "suppose that he made "himself thus active, and thus obnoxious, "without any view to *personal advantage?* "Indeed, it is much more probable, that "he has since delivered in his bill of *work* "*done for the ministry.*"——Mr. Brand accused him of having been constantly a supporter of those, who were ever endeavouring *to excite one part of the people against the other;* to propagate *suspicions of disaffection and of treason,* to set *Englishman against Englishman,* and this was, he said, a permanent unvarying part of their policy.——The Rev. George Brown exhorted the meeting to prove to the country their sense of patriotism and public spirit "by rejecting with marked dis-"regard their late Member Mr. Yorke. "He had, forsooth, complained of the "misrepresentation of his speeches; could "he say *that his votes were misrepresented?* "When did he ever vote *in favour of* "*constitutional freedom?*—or, what was "the measure which went to *infringe* "*that freedom* that had not his support? "Was he not the principal actor in upholding an incapable, profligate, and "contemptible Administration; men who "came into office upon the diabolical war-"whoop of religious dissensions, and who "have shown their attachment to the sa-"cred precepts of religion, by an open vio-"lation of the laws of God and Man?"—— The Marquis of Tavistock, at the close of the debate, said, that Mr. Yorke was now *the hired advocate of Ministers, and had received his retaining fee.*——Well; what had he to say, in *answer* to all these charges? I will, even here, give the whole of his speech, as I find it reported amongst the others, as far as it relates to any thing but mere *county* matters, and even that part shall be inserted in my next.—— "He denied that he had ever brought for-"ward the Cavalry Bill alluded to, or that "he was a Member of the Cabinet at the "conclusion of the Treaty of Amiens. "As to the charges against the Duke of "York, although he thought in his *con-"science* that the Duke was not guilty of "corruption or *criminal connivance,* yet, "that from the high rank he held in the "State, and the example he was bound to "shew, that it was very improper for him "to connect himself, as he had done, with "a woman of such notorious character as "Mrs. Clarke. If that question had come "on *before the other,* he should *have voted for* "*it.* With respect to charging the Press "of London, with being engaged in a "Conspiracy, he avowed the charge, and "would say, that it *still exists.* He com-"plained that every thing he said in the "House of Commons was misrepresented; "and could appeal to Mr. Brand, and "to the Marquis of Tavistock, whether at "this moment, there existed not a *con-"spiracy* among them not to report the "speeches of Mr. Tierney and Mr. "Windham.——[*A laugh!*]—He believed "that there was now a conspiracy to "misrepresent or suppress all that was "said by persons who were *not favour-"ites of the London Editors.* That a "*great conspiracy* did exist against the "Duke of York was, as he thought, *suffi-"ciently proved* by the Jury, who, in the ac-"tion against Mr. Wardle, in which Mr. "Glenie and Major Dodd were impli-"cated, conceived that there was a con-"spiracy *to run down the Duke,* and in this "conspiracy *he conceived the London Press* "*a party.*——Much had been said upon "the *Standing Order* of the House of Com-"mons. It was *not* merely *intended* that "because the Gallery was *sometimes* open "to strangers, that therefore *the people of* "*England* had a *right to* be present at "every discussion of their Representa-"tives; in such case, in place of St. Ste-"phen's Chapel, Parliament should be "assembled upon Salisbury Plain. The "Gallery of the House of Commons did "not hold above 150 persons, and was "generally filled with Reporters, Editors, "and Proprietors of the London Newspa-"pers. The Order of the House, which "he had enforced, was settled shortly "after the Revolution, by those great "men whose conduct it would be always "his pride to imitate.—His object in en-"forcing that Order at the present was to "guard against the gross misrepresenta-"tions, the gross mistakes, and he would "say, *the wilful misrepresentations given of* "*the proceedings of the House of Commons.* "He wished also to be considered as by "no means hostile to an inquiry into the "late Expeditions, though he opposed "motions which were substantially a con-"demnation before inquiry. It was not "necessary for him to enter into any de-"fence of his general conduct. ["*No in-"deed!*"] He had ever been the active

" opposer of those who, either at home or " abroad, were endeavouring to destroy " the greatness of Old England. [*Cries —" Off, off! no mock loyalty, no cant!"*] " As much misrepresentation was circu- " lated about the nature of the office " which it had pleased his Majesty" [not his Majesty, but his Ministers] " to con- " fer upon him; he begged to say that it " was an ancient and honourable one, re- " gulated by acts of Parliament, and *not* " *paid*, as was industriously stated, *out of* " *the public taxes.* The salary was made " up by *small fees* levied upon every *issue* " *of money from the Exchequer*, and did not " amount to more than 2,300*l.* per an- " num."——Very good indeed! " *Off!* " *off!* No *mock loyalty!* no *cant!*" He little expected this, when he was talking of " *standing by the minister,*" because he had resolved " to stand by his gracious sove- reign." He little thought, that the Free- holders of Cambridgeshire saw so clearly into his *true* character and his real views. " No *mock loyalty!* no *cant!*" at once gave a lesson to the mock loyalists, to the jubilee men, and an example to the wretches, who, by fraudulent pretences about loyalty have so long succeeded in blinding and robbing this nation.——His salary *not come out of the taxes?* What an impudent assertion! Why, are not the fees paid out of the money issued from the Exchequer? And what money is that but the money collected from the people in taxes? The salary is not paid by a *tax- gatherer*, indeed; but, what a miserable quibble is this, and how clearly does the use of such a quibble show the want of any fair grounds of defence!——The *amount*, too, how dares he say, that it is only 2,300*l.* a year, when it stands, even in the parliamentary return, at 2,700*l.* which is well known to be stated as low as, by any contrivance, by any shew of accuracy, it can possibly be stated?—— What he is stated to have said against Messrs. Wardle, Glennie, and Dodd is as untrue, besides being deeply imbued with the speaker's usual malignity. What *con- spiracy* was proved against the Duke of York? Who ever dreamt of a calumny like this, except Mr. Yorke? It was proved, indeed, that those gentlemen had been all assisting *to get from Mrs. Clarke proofs against the Duke of York;* but, proofs of what? of *falsehoods?* no, but of those disgraceful and damnable *truths,* which were afterwards made apparent to this insulted nation, and for having done which, those gentlemen have re- ceived, and will continue to receive, the heart-felt thanks of every honest man in this kingdom. *Conspiracy*, indeed! Was it a conspiracy of Mr. Wardle, Mr. Glen- nie, and Mr. Dodd, that induced the Duke of York to write the *Darling Letters?* Was it their conspiracy that caused the ever- famous *Note to be written to Tonyn?* Was it their conspiracy that induced the Duke to get the pious O'Meara, the man of celes- tial unction, leave to preach before the royal family? Was it their conspiracy that gave commission and the command of English soldiers to a whore's footboy, who, as some of the "*loyal*" contended, had the honour to be an officer's *bastard,* but which was not true, the boy being the legitimate son of a very poor, but, I be- lieve, very honest man? Was it their con- spiracy that made Knight pay Mrs. Clarke 200*l.* on account of his brother's Ex- change? Was it their conspiracy that brought about the bargain between French and Sandon and Mrs. Clarke? Was it their conspiracy that made Dowler pay her for his place?——Why did he not say, at once, that it was the conspiracy of these three gentlemen, that caused all the illegal trafficking in Writerships and Cadetships; that made Lord Castle- reagh offer a Writership to be swapped for a seat in parliament; and, that pro- duced all the facts, relative to the seat of Mr. Quintin Dick, mentioned in Mr. Madocks's motion?——No: but which Mr. Yorke dislikes full as much, and a great deal more, their conspiracy *detected and exposed* the existence of all these in- famous facts, and a most useful conspi- racy it was. It gave rise to a quite *new way of thinking in the people,* who, all of a sudden, clearly saw what was meant by the cry about *jacobins and levellers.* It gave the first great blow to corruption of every sort. It enabled the people to judge of the House of Commons. It an- nihilated all confidence in party. It was a beginning of what will never end, until the people of England are in the enjoy- ment of their just and constitutional rights, and, of course, until the parliament be le- gally reformed and punishment inflicted upon every species of Public Robbery.—— The rest of his Speech is wholly unworthy of notice. It is beneath any expressions of contempt that one can make use of. Its effect appears to have corresponded very well with its quality; for indignation more hearty and universal was, perhaps,

never expressed.——The [illegible] of Cambridgeshire have [illegible] sentiments of the whole of the [illegible] people, who, let us hope, will, wherever they have an opportunity, follow the noble example. Mr. Yorke, upon the first appearance of the Charges against the Duke of York, cries out a Conspiracy of the Jacobins and the Press; he votes, all the way through, for the Duke of York; he votes for Lord Castlereagh and against Mr. Madocks's motion; he votes against the Inquiry into the Walcheren Expedition; he clears the Gallery; he declares, that he will stand by the jubilee minister, because the jubilee minister is resolved to stand by his gracious Sovereign; he gets a sinecure place; after all which he appeals to the Freeholders of the County of Cambridge *to decide upon his conduct*, and they, with both hands up-lifted, drive him from their presence. He calls us, the London Editors, Jacobins: he appeals from us to the quiet good sense and the loyalty of his native county; and, that county hoots him away, receives him with: "*Off! off! no mock loyalty! no "cant!*"——Verily such men do well to *hate the Press*. Were it not for the Press, their conduct would be unknown, or, at least, soon forgotten, For him who wanted to imprison Mrs. Clarke, while she was a witness at the bar of the House of Commons, it was very natural to use whatever means he had in his power to keep the Press at a distance from the scene another time.——It was well asked by the Rev. Mr. Brown (and the better because by a *Clergyman*) whether the VOTES of Mr. Yorke had been *misrepresented*. Aye! there's the rub! and a rub, too, which will, I am confident, whenever the time comes, be felt by others, as well as by Mr. Yorke For this reason it is, that it will be of the utmost importance, that those, who publish Lists of Majorities and Minorities, should be particularly careful to be correct; and that, when they publish Lists at all, they should publish Lists of *both sides of the question*.——For my part, I have no doubt at all, that, if every county and *independent* body of electors had the same sort of opportunity afforded them, that has been afforded to the Freeholders of Cambridgeshire, they would all act in the same manner. The number of Freeholders, in *every* county, who may act an independent part, *if they will*, is quite sufficient to insure the return of good members; and, again I cannot refrain from expressing my hope, that, in this way especially, the example of the county of Cambridge will be of great national utility. ——It is the duty of every man, who has a vote to give, in the choice of members of parliament, to keep his eye steadily fixed upon the proceedings of that parliament, and to bear in mind what is the conduct of each of the present members upon every great *constitutional* question; every question involving the great and vital interests of the people. Nothing should be suffered to drive this out of a man's memory, and in every county, in particular, the conduct of the members should, by some means or other, be kept constantly before the eyes of the people.——Here I am obliged to break off, or to leave out the article which immediately follows, which nothing upon earth can induce me to do.

WM. COBBETT.

London, 16th March, 1810.

CAPT. WARWICK LAKE.

The conduct of this man, which has hitherto escaped *general* notice, shall, if I have life to effect that object, be known in every part of the inhabited globe: it shall flow as widely as the waters, which surround the uninhabited rocks and swamps, on which poor ROBERT JEFFERY was landed and left. It was very much my wish to extend my observations upon matters, connected with the Cambridgeshire Election; and also to write upon several other topics, interesting at this time. But, this subject, the treatment of Robert Jeffery, demands precedence of all others. Viewing this subject in the light that I do, it would be infamous in me to lose one moment in calling the public attention to it.——At present I shall confine myself to the publication of the *Proceedings of the Court-Martial* (by whom Lake was tried at Portsmouth, on the 5th and 6th of last month) and of *a Letter*, written to Mr. Bragge Bathurst, by a Mr. Thomas, which letter it was that led to the trial of Lake.——Mr. Thomas's letter will *speak for itself;* but, I trust, that care has been taken to provide for his speedy and *safe* return to England, in order that he may be further heard, by the House of Commons, or, at any rate, by the public.—— These Papers were printed by Order of the House of Commons, on the 23rd of last month, having been moved for by Sir Francis Burdett, who, in the first place, mentioned the matter in the House,

and asked the ministers, the king's servants, whether they meant to take any steps relative to it. What they said to him in answer is of little consequence. He told them, that he should wait some days to see whether they took any steps, and that, if no steps were taken, he should make a specific motion upon the subject. This motion he made, and, in consequence of it, the public will now be in possession of that, of which, without his interference, it never would, in all probability, have got a sight. ——Besides the documents, I now publish, there are, a Letter from Lake to the Admiralty, an Opinion of Mr. Bicknell on the case, Proceedings of a Court of Inquiry, a Letter from Sir Alex. Cochrane, and a Letter from five officers (including the *purser*) of Lake's *last* ship, giving him a character.——All these I will publish in my next Number; but, as to the *facts*, these additional papers are quite immaterial.—To offer observations on either the crime or the evidence it is not now my intention. I wish to leave the reader to his own unbiassed judgment; but, I beg him to *read with attention*; and to dwell particularly on what is said about a *belief* that the Island was *inhabited;* about the reporting of poor Jeffery as having *run away* from the ship; about the *interlineation of the Log-book*, in which the landing of the man was, at first, *omitted to be entered;* about the sort of *theft* that Jeffery was charged with; about his having actually been *flogged for that theft;* and, above all, about his having been *taken off by an American ship.*——Upon this last point, I must remind the reader, that, just after the Court-Martial took place, and Lake was dismissed, there appeared, in *all* the London news-papers, a paragraph, stating, that the man, landed by Capt. Lake, *had been taken off the Island by an American Ship.* This was stated in the most positive terms. There was no *doubt* expressed as to the matter. The public in general, who had heard of the landing of the man, still thought the same of Lake's conduct; but, as the poor man had got off with his life and was safe, their indignation was assuaged. And, thus would the thing have gone off; thus would the public have been deceived, had it not been for Sir Francis Burdett, who seems to think that the personal liberty and the lives of his countrymen are matters of more consequence than the question of who shall be in and who out of place.——The public will now see what foundation there was for the story about Jeffery's having *reached America;* and they will easily judge of the motives from which the paragraph, above mentioned, was published.——To obviate any puzzle, that might arise from Lake's being sometimes seen in the command of the sloop, RECRUIT, and sometimes in that of the Ship, ULYSSES, I will just observe, that he was a *Commander*, while in the Recruit, and when he put poor Jeffery on shore; and that, SINCE THAT, he has been *promoted to the rank of Post Captain*, and has had given to him the command of the Ulysses. I cannot let this remark go, without saying, that in the Papers laid before parliament, the time when the Admiralty first knew of the landing of Jeffery does not appear. It is, therefore, *possible*, that, though the deed was committed *in December* 1807, the Admiralty had not heard of it, when they promoted Lake; but, though it is barely possible, that the Admiralty might be ignorant of the deed, SIR ALEXANDER COCHRANE was not ignorant of it. He was apprized of it soon after it took place. He says he was; and *that he sent Lake back to look for the man.* Well, then, *did he apprize the Admiralty of the deed?*——Lake's promotion, *after the deed*, is a thing that lies between sir Alexander Cochrane and the Admiralty; and, I trust, we shall know, very shortly, to whom it belongs.——With this much, by way of Preface, I leave the case to the serious and impartial consideration of my readers.

MR. THOMAS'S LETTER.

Letter from CHARLES MORGAN THOMAS, *to Mr.* BRAGGE BATHURST, *dated, Neptune, Fort Royal Bay, Martinico, 24th March,* 1809.

SIR;—A freeman of the city of Bristol, which you have so long honourably represented in parliament, takes the liberty to address you, as the only alternative he has against oppression. —In the first place, it will be necessary for me to state, that I lately was Purser of His Majesty's sloop Demerary, but resigned my warrant to Sir Alex. Cochrane, upon condition of being discharged from the Service altogether; the Admiral superseded me, but ordered that I should be detained, being impressed with the idea, that it is possible I might have defrauded Government. When this came to my knowledge, I requested to be sent home, where alone I knew this point could be decided. I was buoyed up with promises, since when two ships have sailed from this express for England, the Goree and Belleisle, yet still am I detained a Supernumerary for Victuals only, and there

is at present no hopes of an alteration in my circumstances.—The cause of my being kept prisoner is, that I made public my intention to develope certain circumstances, among which one was, that Capt. Simpson, late of the Star, made a false muster, and signed bills upon Government before they were due, thereby to enable a Master to desert from His Majesty's service. Lieut. Stuart, late of the Star, with a zeal highly laudable, applied to Sir A. Cochrane for a Court Martial on Capt. Simpson, but instead of granting the wished-for enquiry, the Admiral removed Mr. Stuart, and the investigation never took place.—I deem it a duty I owe to humanity, to inform you that Capt. Lake, when Commander of the Recruit, set a man belonging to that vessel on shore at Sombrero, an uninhabited island in the Atlantic Archipelago, where he died through hunger, or otherwise, for more was never heard of him. This was likewise known to Sir A. Cochrane, who suffered this *titled murderer* to escape, and he now has the command of the Ulysses. —I appeal to the right hon. C. Bathurst, not only as the Member, but as the beloved Member of Bristol, to see one of your friends put in possession of those rights so dear to Englishmen, and of which he has been so unjustly deprived. Voltaire justly observes, that streams always become more impure the farther they are from the fountain-head; this assertion is just, inasmuch as the following facts are incontrovertible; viz. the Transport lately seized at Trinidad, was employed upon speculating purposes. The ransoming enemies has not only been connived at, but encouraged, and the honour of the nation has not only been compromised, but basely abandoned, by a set of wretches, calling themselves Commissioned Officers, but who, in reality, would do better behind compters in Cheapside and Ludgate Hill; but if they make these their prototypes, they fall short, very short of the original.—P. S. I hope you will not construe into disrespect the sealing this with a wafer only, and omitting a cover, as I am obliged to use secrecy, in order to prevent detection.

MINUTES *taken at a Court Martial assembled on board His Majesty's Ship Gladiator, in Portsmouth Harbour, on the 5th of Feb.* 1810; *and continued by adjournment the following day.*

CAPT. W. BIDFORD, President:

Captains

Charles D. Pater,	Robert Plampin,
John E. Douglass,	Thomas Rogers,
John Barrett,	John Irwin,
Sir A. C. Dickson, Bt.	Hon. Charles Paget.
Richard H. Pearson,	William Cumberland,
Richard Raggett,	Robert Hall.

The Prisoner was brought in, and audience admitted.——The order from the Lords Commissioners of the Admiralty, dated the 3d of Feb. instant, setting forth that a Letter had been addressed to their lordships by the rt. hon. C. Bathurst, enclosing a letter to him from Mr. Charles Morgan Thomas, dated His Majesty's ship Neptune, Fort Royal Bay, Martinique, the 24th March 1809, in which it is stated, that the hon. Warwick Lake, when commander of His Majesty's sloop Recruit, did on the 13th Dec. 1807, cause a seaman of the name of Robert Jeffery, to be landed on the desert island Sombrero, and that in consequence of the said letters, their lordships directed, by their secretary's letter of the 6th of Dec. 1809, Admiral sir Roger Curtis, bart. to cause an enquiry to be made into the circumstance above-mentioned on board His Majesty's said sloop Recruit; and that the Admiral had transmitted to their Lordships, in his Letter to their Secretary of the 9th Dec. 1809, a Report dated the day preceding, which he had received from the Captains of His Majesty's ships Caledonia, Monarch, Bellona, by which it appears, on examining the log of the Recruit, that Robert Jeffery, a seaman of the said sloop, was landed on the island Sombrero on the 13th Dec. 1807, at 6 P. M. and directed to the President to assemble a Court Martial to enquire into the conduct of the said Hon. Warwick Lake, as commander of His Majesty's sloop Recruit, upon the occasion above-mentioned, and to try him for having ordered and caused the said Robert Jeffery to be landed on the said island of Sombrero on the 13th Dec. 1807 at 6 P. M. was read.

The Members of the Court and the Judge Advocate, then in open Court, and before they proceeded to trial, respectively took the several oaths enjoined and directed. Then the extract from the said Letter of Mr. C. M. Thomas, the said Report, a Letter from the said Capt. Lake, dated 3d July 1809, an extract of a Letter from the Solicitor of the Admiralty, dated the 12th July 1809, both addressed to the Hon. W. W. Pole: and a Letter from their Lordship's Secretary, enclosing one from Vice Admiral Sir A. Cochrane; were severally read, and are hereto annexed.

Captain Lake delivered a paper writing to the Court, as follows: "I submit that I never disputed or denied the specific charge of landing the man; it stands admitted by my Letter to the Lords of the Admiralty; and I am now willing, in order to save the time of this Honourable Court, to admit the specific charge for which the Lords Commissioners have been pleased to put me on trial by this Honourable Court."

The Court was cleared, and agreed that, notwithstanding the above admission, it was necessary the Court should hear the evidence of the facts, to enable them to form their judgment upon the case.

Mr. EDW. SPENCER, *late Master of His Majesty's Sloop Recruit, called in, and sworn.*

The Judge Advocate asked:—You will be pleased to state to the Court what you know

of the charge against Capt. Lake?—On the 13th Dec. 1807, standing to the northward, and the island of Sombrero bearing east from the ship, distant from her about a mile and a half (which island is about 5 or 6 leagues from the Dog and Prickly Pear Island, in the West Indies, Capt. Lake came on deck, and came to the gangway, where I was standing, between the hours of 5 and 6 in the afternoon, and asked, What island is this? I answered, it was the island of Sombrero; Capt. L. said, have we not some thieves on board? to which I said, yes; there are two, who have been guilty of theft; Capt. L. immediately said, send up Jeffery here; the man soon came up. Capt. L. told him, he would not keep such a fellow in his ship, and that he should send him on shore. Capt. L. afterwards went up to Lieut. Mould, second Lieut. who was carrying on duty at the time, and spoke to him, but I did not hear what passed. In about a quarter or half an hour afterwards Capt. L. said, bear a-hand, and land the man, and come off. At this time Lieut. Mould was in the boat astern, as was also Robert Jeffery, from the time he was called to the gangway until I saw him pass the gangway, to go into the boat; he was at that time looking for his things, and he was called to go into the boat, over the stern. I did not see the boat put off, but after she was off I heard Capt. L. hail the Lieutenant to bear a-hand, and land the man, and come off again. I have omitted mentioning, that before the man was ordered into the boat, Capt. L. ordered the painter to get a piece of canvas, and paint on it "Thief," which I did not see done. I was on deck between the hours of 7 and 8 when the boat returned, and Jeffery was not then in the boat; the boat was hoisted up, and we made sail to the northward.

The Court asked:—Was there any water or provisions put into the boat that landed Robert Jeffery, for his use? I did not see any; neither did I hear any ordered.—Were his clothes put into the boat? No, they were not; I saw them, the next day I think, on board; he was dressed in a frock and trowsers, not having any hat or shoes on at the time I saw him. On the following day I dined with Capt. L., and just as he was rising up to quit the table, Capt. L. said, I wonder how old friend Jeffery comes on now; I suppose he is got housed by this time.—Are there any houses on Sombrero? None. I was on the island afterwards on the 11th Feb. 1808 I was sent on shore by Capt. L., accompanied by Lieut. Mould, to see if I could see any thing of Jeffery, and see what sort of an island it was. We walked over some part of the island, where we found a great many eggs, and young birds sitting on their nests, not capable of flying away; they are large birds, and when at full size are called Noddies, but could not find any fresh water. I tasted many pools, and it was all salt water which I tasted. The island was entirely barren, nothing but a kind of rough grass weed, which was in the middle of the island; there was no house or inhabitant on it. On the island I found a remnant of a pair of trowsers much torn, and the handle of a tomahawk or hatchet, which were the only things I found on the island. I did not find Jeffery there, nor any traces of him, for I minutely surveyed every part of the island: it has a craggy ascent, and flat when you get upon it; it is about a mile and a half in circumference. We went back to the ship at 12, according to Capt. L.'s order; we were about an hour and a half at that time on the island. We brought off with us some of the eggs and young birds. We went a second time in the afternoon, and carried with us muskets and slugs to shoot birds, and to look for the man; then it was we found the trowsers. Lieut Mould and Mr. Hobson and Mr. Salmon went with us. We surveyed the island all over, taking different routes: we did not find the man, nor any traces of him then: we returned about 6 or 7 on board. Capt. L. came to the shore of the island, but did not land, and returned with us on board.

The log-book of His Majesty's sloop was produced, beginning May 1807.

Is that the log-book of the Recruit of that time? Yes.—Who wrote it? Mr. Jones, the Master's Mate, who is dead; he wrote it under my direction.—Did you, from time to time, as Master of the Recruit, examine the entries made therein? I did, at different times; but was not correct in observing every day.—Turn to the entry of the 13th Dec. 1807, and state to the Court when you examined that entry after it was made? It might be several days after.—Do you know that the several circumstances there stated are true and correct? I do; except the words "lowered down boat "and landed Robert Jeffery, seaman, 6. 50. up boat, and made sail" This being omitted by the Master's Mate, who had not inserted it in the log-book, I therefore inserted it myself several days afterwards.—Did you acquaint Lt. Mould that you had made such entry? I did not, as all hands were upon deck at the time the boat was lowered down: Capt. Lake did not know I had made it, but the officers of the ship knew it.—What is the nearest inhabited island to Sombrero? To the best of my knowledge, I think it is Anguilla, which is, I believe, 7 or 8 leagues distance.—At what distance do vessels generally pass from the island of Sombrero? I have heard they pass near, but never saw them; the Recruit was within a quarter of a mile from Sombrero; the channel is about 5 or 6 leagues across, and I have heard that the French fishermen come there turtling.—Had any steps been taken to ascertain if there were any inhabitants on the island previous to Jeffery being ordered to be landed there, or provisions or water? I do not know.—Do you know that there were any eggs or young birds in the island in the month of December, or was it likely, from your observations,

that any were there at the time? I do not know that there were any, but I think it is very likely.—Did Lt. Mould, or any other officer, point out to Capt. Lake what would be the probable fate of Jeffery on that day or the following? Not that I heard.—What distance was the island of Sombrero from the ship the next day? About day-light, the island bore about S. W. and by W. about 5 or 6 leagues distance, being within sight.—Are the Court to understand that if Capt. L. had been so disposed he might then have returned to the island and taken Jeffery off? Yes; I think he might have done it.—How was the wind? About E. S. E.—At the time Capt. L. asked whether there were any thieves on board, did you name Jeffery as one? I did not mention any name.—Do you know why Jeffery's clothes were not sent with him? He did not bring them up with him, and they were not brought up before the boat shoved off. Capt. Lake ordered the boat to shove off, and said, "never "mind his things."—Did Lt. Mould bring any message to Capt. L. on his return from Jeffery, expressive of his apprehension of his situation, and desiring to be taken off? Not that I heard.—Did you hear Capt. L. forbid any water or provisions being put into the boat for Jeffery? No; I did not.—Do you know what crime Jeffery had committed, that induced Capt. L. to inflict this punishment on him? I recollect, in Nov. 1807, he was charged with going into the gunner's cabin, and taking out a bottle, with some rum in it; he was punished for it by flogging him, as a man. On the 13th Dec. following he was charged with broaching a cask of spruce beer, which had been brewed for the ship's company, for which he was not punished; but it was proved by some persons who saw him do it.—Do you know of Jeffery's having been guilty of any other crime, subsequent to the punishment he received, besides that of his having broached the cask of spruce beer? Not to the best of my recollection.—What distance is the island of Anegada from Sombrero? I suppose nearly 10 or 11 leagues.—Do you know that there were on the island of Sombrero, at the time Jeffery was landed, any canoe, or any other possible means by which he could have got to that island, being directly to leeward? No; I do not.—Was Jeffery generally considered as a man of a bad or infamous character? He was always considered as a skulking man before he committed the thefts.—From your knowledge of the trade-wind in the West Indies, and the Dog and Prickly Pear Passage, did it strike your mind as probable, that vessels would pass near enough to discover Jeffery on the island of Sombrero? Yes, it did, at the time.—Did you, or any of the officers, to your knowledge, request Capt. Lake to send for Jeffery, on the morning of the 14th, the island then in sight? I did not, neither did I hear any of the other officers.—Did the Recruit return to Barbadoes, or join the Admiral, between the 13th Dec. and 11th Feb.? We returned to Barbadoes, and, I think, joined the Admiral, before we went to Sombrero again.—Did you suggest to Capt. L. to send provisions with Jeffery, or hear any other person do so? No; I did not.—Did you bring the part of the tomahawk or hatchet you describe to have seen on the island of Sombrero, on board the Recruit? I did.—Did you compare it with the others in the Recruit? No; I did not.—Did you form any opinion what it was, or from whence it came? My opinion was, it was a fisherman's; it was very rough; it was not any thing belonging to the Navy.—Were the trowsers you found of the same sort as those worn by Jeffery? They had the same appearance as trowsers served out in his Majesty's ships.—Did you at any subsequent period afterwards hear Capt. Lake express any apprehensions as to the fate of Jeffery? Not to the best of my recollection, except as I have before stated.—Have you any reason to think, from Capt. Lake's saying he supposed Jeffery had got housed, that he believed the island of Sombrero to be inhabited? I really believe he did.—Was you prevented by fear, or any other motive, from suggesting to Capt. Lake the taking off Jeffery? No; I was not.—Did Lt. Mould give his opinion, as to the propriety of leaving Jeffery on the island? Not that I heard.

Captain Lake asked: You said, "We have two thieves on board;" did you mean Jeffery as one? I did.—How often did Lt. Mould go to the island? To the best of my recollection, he was twice on the 11th of Feb. besides the time he landed the man.—Did you ever hear any report as to what became of Jeffery? I heard it on board the Recruit, I think from Capt. Lake, that it was advertised in an American paper, that the man was taken off the island, and carried to America.—Did you hear it from Mr. Windsor? I heard him say, since I have been at Portsmouth, that he heard it from the Hon. Capt. Croston.—Did you often report Jeffery to me as a very bad character, and say it would be a very good thing if we could get him out of the ship; that flogging would do him no good? Yes; I did.—Did you conceive, at the time he was landed, that there were houses, or rocks appearing like houses, on the island? At the time I thought there were houses, and did not know that it was not inhabited.

The Court asked:—Considering the description you have given of the island, and the situation of your ship, could you, or any other officer of the ship, have discovered houses, if there had been any there? No, we could not; I think there might have been houses and we not see them; the land rises from the surface of the water above 40 feet, I should think, and therefore we could not see over the island.—Why had you frequently complained of Jeffery to Capt. Lake, and wish him out of the ship? He was generally down below in the watch, and could never be got up on deck: he had not been long at sea; he was a very weak man; and his punishments hurt him very

much; and I thought such a man had better be out of the ship; I do not mean his flogging; he was started several times by a boatswain's mate with a rope.—What in your conscience was the impression upon your mind, at the time that Jeffery was landed on Sombrero, whether it was a desolate island or not? The impression on my mind was, I did not think it was a desolate island.—Had you any reason to alter that opinion on the return of the boat with Lt. Mould, or before you lost sight of the island? No.—Did you then consider the act of Capt. Lake as very oppressive? I did not consider whether it was oppressive or not; I did not take it into consideration.—How long have you been a Master in the Navy; how long in the West Indies; and how many times have you been in sight of Sombrero, before that time? I shall have been a Master, the 20th of next month, 3 years. I served aboard 4½ years in the West Indies, in a man-of-war, and never was in sight of the island before we landed the man, to the best of my knowledge.—Have you any Instruction Book for navigating in the West Indies? No; but I have seen one.—Did you ever look to see if Sombrero was inhabited, or had wood or water? No; I never did.—Was the Recruit in want of water at the time? I do not recollect.

Mr. JOSEPH ELVY, *late belonging to the Recruit, called in, and sworn.*

The Judge Advocate asked:—What was you in the Recruit, in Dec. 1807? I belonged then to the after-guard.—State to the Court what you know of the charges against Capt. Lake. On the 13th Dec. 1807, the ship was off Sombrero. About 6 in the evening, Capt. Lake called Jeffery, and told him he should send him on shore on that island; a patch was sewn on to his back, with the word "Thief" on it; Capt. Lake then told Lt. Mould to make haste and land the man, and return. I saw the man go into the boat by order of Capt. Lake: he had on a white frock and trowsers, black hat; I cannot say whether he had shoes on or not; when the boat returned he was not in it.—Are you sure he had a hat on? I am pretty sure.—Were any clothes put into the boat with him? None, that I know of.—Did he ask for his clothes? I did not hear him.

The Court asked:—Were any provisions or water put into the boat? I do not know that there was; I did not see any put in.—Did you hear any orders given by Capt. Lake to prevent any water or provisions being put into the boat? No, I did not.—Was Jeffery considered an infamous character? He had been flogged once for taking rum out of the gunner's cabin.—Do you know that there is any water, or inhabitants, on Sombrero? No.—Did you see any houses there? No.—Do you know, on the return of the boat, that any representation was made to Capt. Lake, relative to the situation of Jeffery, or relative to the island itself, either by the officer, or any man who went on shore? No, I do not.—Do you remember the next morning being in sight of Sombrero? Yes.—Do you know at any time that day, that any representation was made to Capt. Lake respecting Jeffery, with a request of his being taken off, by any person on board the Recruit? No.—Was the situation of the ship such, the next day, that if Capt. Lake had been so disposed, he might have approached the island, and taken the man off? I do not recollect that it was.—What distance was the Recruit from Sombrero, about 5 in the evening of the 13th Dec. 1807? I do not know.—Is it your opinion she was near enough to have discovered houses, had there been any on it? I think we were too far off at that time.—Was she near enough, at any time prior to the man being sent from the ship, to have discovered any houses, if there had been any there? Yes, about a quarter of an hour before he was sent away.—From what you had observed, did you suppose, at the time Jeffery was sent from the brig, that the island was uninhabited? No; I did not know whether it was or not.—Do you know what crime Jeffery had been guilty of to induce Capt. Lake to set him on shore on the island? I believe it was for broaching a cask of spruce beer that same day.—Did you think it a very very cruel and oppressive act, at the time the putting Jeffery on shore? Yes, I did.—Was the ship's company at an allowance of water at the time? I do not recollect.—Was any ship in sight at the time, or boat, when Jeffery was put on shore? No.

FRANCISCO VALA, *a Seaman belonging to the Recruit, called in, and sworn.*

The Judge Advocate asked:—Was you one of the boat's crew in which Jeffery was taken on shore from the Recruit, and landed on Sombrero? Yes, I was; when the boat was lowered astern, he came into the boat.—How was he dressed? He had white trowsers, white frock, and a straw hat; one of the boat's crew gave him a pair of shoes, Mr. Mould a handkerchief, and another man a knife.—Were any provisions or water put into the boat? No.—Was the man in good spirits, or was he crying? He cried when he went a-shore; he said, Good health to the gentlemen and boat's crew.—Did he ask them to take him on board again? I did not hear him say that.—Did he immediately get upon the rock on the island? Yes.—How high is it? As high as the mizen-top.—Was it difficult to get up? No; any one could get up.—Did you go on shore yourself? Yes; I went about 20 feet on the island.—Was it dark at the time? It was dark.

The Court asked:—How long was the boat on shore? About ¼ of an hour.—Did the Lieut. and boat's crew go upon the rock, to see if there were any houses? Yes; and when they came down, they said there were no houses.—When you put off, did Jeffery cry? Yes; but he did not make any noise.—Was he bleeding at the time? No; I did not see him.—Did Jeffery ask for water or provisions when he was put on shore? No; I did not hear him.

Mr. JAMES HOBSON, *late acting Purser and Clerk of the Recruit, and now Clerk of the Ulysses, called in, and sworn.*

The Judge Advocate asked:—Produce the Muster Book of the Recruit, turn to the Prisoner's name, and acquaint the Court how it there stands? No. 117, Ship's Book, Robert Jeffery, ordinary, entry 11th Aug. 1807, appearance 25th Aug., run 13th Dec. 1807, at Sombrero island.—Do you know that Jeffery was put on shore on that island by the order of Capt. Lake on that day? Yes.—Was he the person above described? Yes.—By whose order did you put the R. against his name? I believe I did it of my own accord.—Did Capt. Lake know that you had so done? When the ship arrived at Barbadoes, he asked me how he was discharged on the book: I told him I had *run* him on the books; he said that I *ought* to have *discharged* him to Sombrero.—How long was that afterwards? *About six weeks ago.*—Did Capt. Lake direct you to take out the R. and make an entry of his being discharged to Sombrero? Yes.—Why did you not do it? Because I believe I had *sent a Muster Book up previous.*—Had Capt. Lake any knowledge of that Muster Book having been sent away, and of the R. having remained against the name of Jeffery on that book? *He signed that Book*, but he did not know that the R. was against Jeffery's name at the time it was sent.—Before you had entered the R. against the name of Jeffery, had you any conversation with Capt. Lake, as to the mode the entry should be made on the book? No.

The Court asked: What distance was the Recruit from Sombrero at 5 P. M. on the 13th Dec.? I was on deck just before the man went away, about 6 o'clock; she was not more than ¼ of a mile or a mile then.—Was it at that time sufficiently light and clear for you to see the island? Not distinctly.—From any observations you had made in the course of that day or at that time, did you suppose Sombrero to be inhabited, or not? I thought it was inhabited, at the time.—What reasons had you for forming that opinion? I could not see the island distinctly enough to see any houses: the officers said, at the time, that fishermen resorted to it, and inhabited it, who came there to catch turtle; I heard the first and second lieutenant say so, I think the master, but am not sure.—Do you mean to say, that you understood that the fishermen were occasionally there, or when they went away with fish, they left part of their people there? I understood it was always inhabited by some of them.—Do you know whether any research was made by the officer who landed Jeffery to ascertain that fact? No.—Did you see any person or building on the island yourself; I have already said, it was too dark; I could not discover any thing distinctly.—Was there any report made by the officer, or any person in the boat, on their return, that the island was not inhabited? I heard the officer say, who landed the man (Lieut. Mould) that he did not think it was inhabited. I have no knowledge that it was stated to Capt. Lake.—Did you, at any period subsequent to the 13th Dec. 1807, hear Capt. Lake express apprehension respecting the fate of Jeffery? No; only when he learnt it was an uninhabited island, he said, he was very sorry it had happened; he would rather have given 20,000 *l.* This was after he had been to the Admiral, at Barbadoes.—Do you know when Capt. Lake heard that Sombrero was not inhabited? I believe he heard it when we got to Barbadoes.—Did Capt. Lake tell you so? Capt. Lake told me, he understood that it was an uninhabited island, and that he was going back to see if the man was there, by the Admiral's orders.—How long have you sailed with Capt. Lake? From the 8th March 1806 to the 14th June 1808, and from the 30th May 1809 to this date.—From your knowledge of Capt. Lake, do you think he would have ordered Jeffery to have been put on Sombrero, if he knew it was uninhabited? No; I am almost sure he would not.—Do you know if Capt. Lake, at the time Jeffery was put on shore, directed any inquiry to be made whether the island was inhabited or not? If he did I never heard of it.—Did you see Lt. Mould that night, after he returned from putting Jeffery on the island? Yes.—Did he appear to be distressed at the order he had been directed to execute, or express any regret at it? No; nothing further than I have stated; that he did not think it was inhabited.

Captain Lake asked:—Did you hear Lt. Mould ask me leave to go and land the man volunteering to do it? No; I was below.—Have you any, and what knowledge, and by what means, as to what became of Jeffery?—I understood that he had been taken off the island by an American merchant vessel, and conveyed to America: I was told so by the Purser of the Recruit, Mr. Windsor, who said, that Capt. Crofton told him that he had cut the account of it out of an American paper, and that he should give it to him, to take to Capt. Lake, but he could not find it.—Did you hear what was the date of the American paper? No.

6TH FEBRUARY 1810.

Mr. EDWARD SPENSER *called in again.*

The Court asked:—At the time Jeffery was sent on shore to Sombrero, did Capt. Lake give any directions to examine whether the island was inhabited or not? Not that I heard.—Did Capt. Lake order his pistols to be brought on deck, at the time? Yes; he did.—You will state to the Court what he said on that occasion?—I did not hear captain Lake make any remark at the time, further than order his pistols to be brought on the deck; and they were laid on the capstan.—By whom were they brought? To the best of my recollection, by Capt. Lake's Steward.—For what purpose were those pistols brought on deck? Really I cannot say; I have frequently known Capt. Lake's pistols brought

on deck, when beating the quarters.—At the time Captain Lake ordered his pistols to be brought on deck, did you notice the state of his mental faculties? No; I did not.—Had you any reason, from his conduct, to suspect him not to be of sound mind at the time? I did not consider myself a competent judge, but I have heard the Surgeon say, that he thought he was a little touched, or insane. At the time he ordered the pistols to be brought on deck, he spoke loud and harsh. *I think he was as much in his senses then as he usually was, when carrying on the duty of the ship.—Did you hear Capt. Lake say, if any body mentioned to him the name of Jeffery he would put him to death, or words to that effect? No; I never did.—Did you hear him forbid water and provisions being put into the boat? No; I did not.—Do you mean to say, that Capt. Lake has frequently ordered his pistols to be brought up when not at quarters? I have seen them so often brought up, that I cannot recollect whether pistols have been brought up, when not at quarters, or not.—Have you at one time known Capt. Lake to have ordered his pistols to be brought up, when not at quarters, besides the time before stated? I do not recollect.—Did you see Lt. Mould on the night of the 13th Dec. after he had put Jeffery on shore at Sombrero? Yes.—Did Lt. Mould appear to be distressed at the orders he had been directed to execute, or express any regret at it, either on that night or the next morning? No; he did not, that I heard.—Upon consideration of what passed at the time Jeffery was put on shore, do you still mean to say, that it did not enter into your consideration, whether the act was oppressive or not, or what would be his fate? No, it did not; for I really thought, at the sime, that the island was inhabited.—Were there any ships or vessels, or boat in sight, at the time Jeffery was landed on the island? We boarded a vessel a few hours before; but I cannot say whether she was in sight or not; when the man was landed I did not see her.—Relate to the Court whether Capt. Lake was sober on the evening of the 13th of Dec. 1807, when he ordered Jeffery to be put on shore on Sombrero. I do not think he was perfectly sober.—What quantity of water was there on board the Recruit on the evening of the 13th Dec. 1807? I believe from 17 to 19 tons: not less than 17.—Under the impression of the oath you have taken, since you heard of a Court Martial for the trial of Capt. Lake for leaving Jeffery on the island, have you had conversation with any person as to the evidence you were to give, except Capt. Lake and the Judge Advocate? On my oath, I never have.—In one part of your evidence you say, that the conduct of Capt. Lake was as usual at the time Jeffery was sent on shore, and you have since said that you do not think he was perfectly sober; what are the Court to understand from that? Capt. Lake, after his wine, was usually more elevated than he was in the former part of the day.—Did you see Capt. Lake on the following morning; and at what time? I saw him when he came on deck, between 8 and 9; I was then officer of the watch.—Was Sombrero then in sight? I think it was; it was at 6 in the morning.—Was Capt. Lake informed of its being in sight? Lieut. Mould had the morning watch, but I do not know whether he informed the Captain or not.—Do you from any circumstance arising from your own knowledge, know that Capt. Lake knew the island was in sight or not? No; I do not.—Was any vessel or boat in sight when you relieved the deck at 8 o'clock? No; there was not.—Do you know whether the pistols laid on the capstan by Capt. Lake's order, on the 13th Dec. 1807, were loaded or not? No; I do not.—Did you see any ammunition produced on the capstan on that evening? No; I did not.

THOMAS JENKINS, *Serjeant of Marines, called in, and sworn.*

The Judge Advocate asked: You will state to the Court what you know respecting the charge against Capt. Lake. About two years ago the ship was in the West Indies, near an island, whose name I do not recollect; I saw Jeffery sent into the boat by Capt. Lake's order; he ordered the boat to be manned and him into it; I brought him up between decks; he was dressed in a blue jacket, and mother of pearl-buttons; I believe he had a hat on; when he went into the boat; I am not positive whether he had a blue jacket on or not.—Were his clothes brought up, and put into the boat? Not to my knowledge; I was not ordered to bring them up.—Do you know why they were not put into the boat? No.—Did he ask for his clothes? No.—Why did you not bring them up? I was never ordered to bring them up.—Did Jeffery express any reluctance at being set on shore? I did not hear him speak.—Was he immediately ordered into the boat, on his being brought up? A few minutes after.—Was any thing said to him by Capt. Lake before he went into the boat? Nothing that I heard, further than to make haste back with the boat.—Did Jeffery at the time he went into the boat, know that he was to be landed and left on the island? Yes; I believe he did—How do you know? Every person thought so.—Did you see the island from the ship? Yes.—Did you know whether it was inhabited or not? I thought it was.—Why did you think so? It being dusk in the evening, there were large rocks, which appeared like houses.—Could you discover the size of the island? It was about half a mile in length.—Did you hear any directions given by Capt. Lake, to examine whether the island was inhabited or not? No.—Did you hear him direct the officer who commanded the boat, to bring back Jeffery, if he should find it was not inhabited? No.—Were any provisions or water ordered into the boat, for the use of Jeffery? I did not hear of any.—Did you hear any directions given by Capt. Lake, that there should not be any provisions or water, or the man's clothes put into the boat?

I did not hear of any.—Did you hear of any directions given, to search if there was fresh water on the island at the time Jeffery was sent on shore? No.—Was he brought back in the boat? I did not see him; nor have I seen him since.

The Court asked: Was Jeffery considered as an infamous character on board? No; he was confined about a week before for theft.—When you brought Jeffery on the quarter deck, did Capt. Lake state any reasons for landing him? No; not as I heard.—Did you hear Capt. Lake say, that if any man mentioned Jeffery he would put him to death? No.—Did you observe a brace of pistols placed on the capstan? I did not see them.—Did you, on the following day, hear any person remind Capt. Lake that Jeffery was left on the island? No.—After the boat returned, did you understand the island to be uninhabited, or that there was fresh water on it and houses? I thought so; the people were saying, when the boat was going with Jeffery, that he would be starved to death; and Mr. Spencer came up behind, and said, "*You be damned;*" which I thought meant he would do very well.—Did you notice any thing extraordinary in the conduct of Capt. Lake, at the time he sent Jeffery on shore; or did he carry on the duty in a cool, deliberate manner, in his usual way? He appeared to be very passionate at the time, more than usual.—From what you observed at the time, have you any reason to believe that he was not of sound mind at the time when he sent Jeffery on shore? No; I do not know; he was not in such a passion in the morning as he was over-night.—Did you, at any time, think it cruel and oppressive putting Jeffery on shore? No; I thought the island was inhabited.—Relate to the Court whether Capt. Lake was sober on the evening of the 13th of Dec., when he ordered Jeffery to be put on shore on Sombrero? He appeared to me to be sober.—Do you know whether Jeffery took off his jacket before he went into the boat, or was directed to do so? I cannot recollect.

JOHN PEARSON, *Quarter master of His Majesty's Sloop Recruit, called in, and sworn.*

The Judge Advocate asked: Was you quarter-master at the time when Jeffery was put into the boat? Yes, I was.—State to the Court what you know, and saw, upon that occasion. When he came up, I met him coming along the main-deck: he then had a frock and trowsers, and a blue jacket with mother-of-pearl buttons on it, and a straw hat, and no shoes. When I came aft, he went into the boat, without any jacket on.—Was the Captain on deck? Yes.—What did he say? When the boat was hauled up on the starboard side, Capt. Lake told Mr. Mould to land him, and bear a hand back with the boat.—Did Jeffery shew any reluctance to be landed? I did not see him when he went into the boat.—Was he in the boat when she came back? He was not.—Did you see the island from the ship? Yes; it was about ¼ of a mile from us. The island appeared to be 2 or 3 miles long; and the height of it might be as high as a brig's cross-jack yard.—Did you know whether it was inhabited or not? I do not know; I was never on shore.—Did it appear to be inhabited? I do not know.—Did you see any houses or smoke? No.—Was it light enough to have seen it, if there were any? Yes.—Were there any provisions or water put into the boat? No.—Did you hear Capt. Lake order that none should be put in? No.—Were any orders given to search if there was any fresh water on shore? I did not hear it.—Did you see any pistols on the capstan on that evening? No.—Were his clothes put into the boat? No.—Why were they not? I do not know.—Did you hear Capt. Lake threaten to put any man to death that mentioned the name of Jeffery? I did not.—Was he considered an infamous character? He had a good character, as far as I know.—What impression did it make on your mind, the landing of Jeffery; did you think it an act of cruelty and oppression? I thought it was a very cruel thing at the time.—Was the blue jacket taken in the boat with Jeffery or not? I do not know.—You have said, "you thought it a very cruel thing, the putting Jeffery on shore;" what induced you to think so? The people were saying at the time that it was a barren island.—Was that your own opinion? No; I did not know what island it was.

Capt. Lake asked:—Did you see all the island, or only one side of it? I saw all round the west part of it.—Was Jeffery repeatedly accused of theft? He was punished for theft about five days before; he was reported for stealing some rum out of the gunner's cabin.

The Court asked: Had he committed any other theft after that punishment? Not that I know of; it was reported he had broached a cask of spruce beer, a day or two before he was sent on shore.

JOSEPH MOTT, *Captain of the Forecastle of the Recruit, called in, and sworn.*

The Judge Advocate asked: Was you on deck at the time Jeffery was sent out of the Recruit? Yes; off Sombrero. I heard Capt. Lake give orders to have him put into the boat, and landed on the island.—Did he say why it should be done? Yes; on account of taking some spruce out of a cask.—Did Jeffery say any thing? Not in my hearing.—What clothes had he? A frock and trowsers, when I saw him in the boat.—Did he look cheerful or sorrowful? He looked sorrowful.—Did you see any pistols brought upon deck? No.

The Court asked: What impression had it on your mind at the time, leaving Jeffery behind? I thought it was very sorrowful to see a man left on a desolate island like that.—Did you think it a cruel act? Yes.—Did you know it was a desolate island? No; it was dusk. I did not think it was cruel at first; but when we returned, and found it to be a desolate island, I thought so.—Was there a sufficient light to see if there were houses on the

island? There were rocks that looked like houses.—Before you lost sight of the island, could you ascertain if they were houses or not? They did not seem like houses when we got round the rock.—Did you hear Capt. Lake give directions that neither water or provisions or clothes should be put into the boat? I did not hear that.—Have you seen Jeffery since he was landed? No.—Was the brig on the weather or lee side of the island, when the boat was sent away with Jeffery? On the lee side.—Did you run down from the windward? Yes.—At what distance did you pass the island? A mile and a half.—Was there light, at that time, to see if there were any houses or inhabitants on the island, had there been any? I looked, but did not see any; I think there was light sufficient to see them, if there had been any.—When the boat returned from landing Jeffery, do you know that there was any report from the officer or men, of the situation, as to the island, in which Jeffery was left? Mr. Mould said it was a barren place, as he came over the gangway.—Did he tell Capt. Lake so? Not in my hearing.—Did you see Capt. Lake when he ordered Jeffery to be landed? Yes.—Did you then consider him to be in his right senses? The same as usual, only passionate.

DEFENCE.

Mr. President, and Gentlemen of this Honourable Court;—It is not my intention to detain you at any length, by representing to you the painful situation in which I am placed, nor of pointing out to you the nature of the charge alledged against me; to men of your honourable minds, such an address can hardly be wanting: indeed, I am convinced it is wholly unnecessary, from the strict attention you have paid to the Inquiry. The accusation against me is of a most serious nature; and I beg leave to ask every gentleman of this honourable Court, whether it has not been brought forward under most singular circumstances. It is suggested by a person I have never seen in my life, but whose character will not bear investigation. I need not remind you, that the character of an accuser ought always to be most scrupulously attended to. When I speak of the accuser, of course I do not mean the Lords Commissioners of the Admiralty, for whom I must ever have the highest respect, but by my accuser, I mean Thomas, who is not here to be confronted by me, and whose charge is couched in a bitterness of spirit which brings down suspicion upon it. It also contains a foul and false assertion, as I trust will manifestly appear in the result of this Inquiry; a charge which has occasioned aggravated and unfounded rumours and conjectures against my character. With regard to the fact of landing Robert Jeffery, I have never denied it; I have admitted it in my letter to the Lords Commissioners of the Admiralty, and I was equally ready to admit it yesterday, in order to save the time of this honourable Court; but I do from my heart deny the motives imputed to me. I solemnly declare, I never intended to put Robert Jeffery in any jeopardy by landing him. It appears that his character was bad; his propensity to disobedience and dishonesty was such, as to lead me and others to believe, that punishment would only harden his heart, and confirm him in his bad practices. You will be pleased to recollect the evidence of Mr. Spencer, the chief witness on the part of the prosecution on this point; he himself advised me to get the man out of the ship; and I declare, that by landing him, I thought he would be made more sensible of his want of conduct, and reform in future. I was persuaded, at the time, that the island was inhabited; in addition to which, I cannot but suppose it within your knowledge, that the island is not out of the reach of human assistance. I need not state that it is within the track of vessels on particular destinations, and which frequently pass within sail of the island. Jeffery found this to be the case, and there is no reason to doubt but that he was taken off the island; for it appears, that on a search being made there afterwards for him, one of the witnesses states expressly, that not a trace of him was to be found, which I cannot conceive could have been the case if he had perished there, as is most unwarrantably asserted by Thomas. Gentlemen, I have no doubt he was conveyed to America in perfect safety. I myself verily believe he is in England at this moment, consigned (as it were) to the merchants, out of whose service I pressed him, and who, perhaps, are keeping him concealed till the event of this Court Martial is known, and then he may be let loose upon me, to seek a compensation in damages, by an action at law; the place of his concealment, however, has hitherto eluded the diligence of my agents. I do not expect or desire any statement to be taken on my own assertion, but I stand here on my defence under considerable disadvantages, with several witnesses, whom I consider material on my behalf, now abroad, such as Lieut. Mould, Mr. Salmon the Midshipman, Mr. Boyce the Gunner, and others; among whom I may mention the Hon. Capt. Crofton. I am not, however, left destitute of evidence, for a most important document is now before you; I mean the official report made by Sir A. Cochrane to the Lords Commissioners of the Admiralty, on this subject, and by them transmitted to the Judge Advocate, read by him to this Honourable Court, and now lying on the table. Be pleased to consider attentively the statement made by this official communication; contrast it with the Letter of Thomas, who is my invincible* accuser, and then decide whether he was warranted in asserting, that Robert Jeffery had perished through the inhumanity of one whom he has thought proper to describe as a "titled "murderer." Gentlemen, I have stated, that I admit the fact of landing the man, but I deny the motives and consequences alledged against me, and found this denial as well on his character, as on my own belief re-

* Qy. Invisible.

specting the state of the island. I was informed afterwards, on my arrival at Barbadoes, that I was mistaken on this subject, which I must ever deplore; it cannot, however, be denied, that this island is within the observation of passing vessels. For this fact I beg to advert to the evidence on the part of the prosecution; and also to the conclusion of the Letter from Sir A. Cochrane. I must again deny that any fatal consequence befel this man; as to this point, I might safely rest on the presumption of law, in favour of the man's existence, unless his death be proved: as to this, I again beg leave to refer to the evidence before you, and once more draw your attention to Sir A. Cochrane's Letter, whereby he expresses himself fully satisfied as to the man's safety. Gentlemen, it appears, that my Commander in Chief, Sir A. Cochrane, took this affair under his enquiry, with every means of information afforded to him; and the result of his mature and unbiassed judgment was, that the case did not require him to try me by a Court Martial, but he did, agreeably to the feelings of his honourable character, enquire into, adjudge, and punish me on the occasion, for I was seriously admonished by him, as he states in his Letter; and what but punishment can that be to a feeling, manly, and honourable mind; I did therefore hope, that this unfortunate event had been sufficiently visited, and that the present Court Martial might have been deemed unnecessary; but I do not mean this as the language of complaint; I bow to the wisdom and justice of the Lords Commissioners of the Admiralty, who have thought it proper to put this matter into a train of further investigation; and some circumstances of my case must make it apparent, that I had no wish to impede or protract the enquiry. I cannot be prevailed upon to speak of myself, but it is possible that you may know, that an early testimony was bestowed upon me (I hope not undeservedly) for having done that, which I admit was nothing more than my duty, and which I do not pretend was worthy of notice. This, however, is a subject which it does not become any man to dwell upon, and I hope to be excused for even alluding to it; but, Gentlemen, when I am presented to your notice cruel and oppressive, am I not vindicated from the charge by the evidence; Mr. Hobson in particular I consider as saying expressly, on his solemn oath, that he does not believe me capable of such acts; for he states, that he is most certain, that I would not have ordered Robert Jeffery to be landed, had I known, believed, or even supposed, that the island was not inhabited. In addition to this, I might (if I could be permitted so to do) adduce the unsolicited and unexpected evidence of a most handsome Letter from the Officers of my own ship. I must ever feel obliged to those gentlemen for addressing it me, whether I am allowed to lay it before this Honourable Court or not. I rely implicitly on your good sense, experience, and honour, and I look forward to be speedily relieved by your Sentence, from the dark and horrible insinuations which have gone forth, and deeply wounded my peace of mind, and affected my character as a Captain of a British man-of-war. I apologize for occupying so much of your time, acknowledging the attention and interest you have manifested on this occasion, and confidently expecting a favourable result from your feelings of justice and honour, actuated by the Evidence which has been adduced before you; and which, I must submit, does in no respect substantiate the very extraordinary accusation that has been preferred against me. —Dated 6th February, 1810.—W. LAKE.

SENTENCE.

PURSUANT to an Order from the Right Hon. the Lords Commissioners of the Admiralty, dated the 3d of Feb. instant, and directed to the President, setting forth that a Letter had been addressed to their Lordships by the Rt. Hon. Charles Bathurst, enclosing a Letter to him from Mr. Charles Morgan Thomas, dated His Majesty's Ship Neptune, Fort Royal Bay, Martinique, the 24th of March 1809; in which it is stated, that the Hon. Warwick Lake, when commander of His Majesty's Sloop the Recruit, did, on the 13th Dec. 1807, cause a seaman of the name of Robert Jeffery, to be landed on the desert island of Sombrero; and that their Lordships, in consequence of the said Letters, directed, by their Secretary's Letter of the 6th Dec. 1809, Admiral Sir Roger Curtis, Bart. to cause an Inquiry to be made into the circumstances above mentioned on board His Majesty's said sloop Recruit. And that the Admiral had transmitted to their Lordships, in his Letter to their Secretary of the 9th Dec. 1809, a Report, dated the day preceding, which he had received from the Captain's of His Majesty's Ships, Caledonia, Monarch, and Bellona, by which it appears, on examining the log of the Recruit, that Robert Jeffery, seaman of the said sloop, was landed on the island of Sombrero on the 13th Dec. 1807, at 6 P. M. The Court proceeded to inquire into the conduct of the said Hon. Warwick Lake, as commander of His Majesty's said sloop Recruit, upon the occasion above mentioned, and to try him for having ordered and caused the said Robert Jeffery to be landed on the said island of Sombrero on the 13th Dec. 1807 at 6 P. M. And having heard the Evidence produced in support of the charge, and by the said Hon. Warwick Lake, in his Defence, and what he had to allege in support thereof; and having maturely and deliberately weighed and considered the whole,—the Court is of opinion, That the Charge has been proved against the said Hon. Warwick Lake, and doth adjudge him to be dismissed from His Majesty's service; and the said Hon. Warwick Lake is hereby dismissed from His Majesty's service accordingly.

LONDON:—Printed by T. C. HANSARD, Peterborough-Court, Fleet-Street:
Published by R. BAGSHAW, Brydges-Street, Covent-Garden:—Sold also by J. BUDD, Pall-Mall.

COBBETT'S WEEKLY POLITICAL REGISTER.

VOL. XVII. No. 12.] LONDON, SATURDAY, MARCH 24, 1810. [Price 1s

"No Freeman shall be taken, or IMPRISONED, or be disseised of his Freehold, or Liberties, or "Free Customs, or be out-lawed, or exiled, or any otherwise destroyed; nor will we not pass upon him, "nor condemn him, but by *lawful Judgment of his Peers*, or by the *Law of the Land*. We will sell to "no man, we will not deny or defer to any man, either Justice or Right."——MAGNA CHARTA: Chapter XXXIX.

"PERSONAL LIBERTY is a natural inherent right, which cannot be surrendered, or forfeited, "unless by the commission of some great and atrocious crime, and which ought not to be abridged, in "any case, *without the special permission of law*. A doctrine coëval with the first rudiments of the "English Constitution, and handed down to us from our Saxon ancestors, notwithstanding all their "struggles with the Danes, and the violence of the Norman Conquest: asserted afterwards, and con-"firmed by the Conqueror himself and his descendants: and, though sometimes a little impaired by "the ferocity of the times, and the occasional despotism of jealous and usurping princes, yet established "on the firmest basis by the provisions of Magna Charta, and a long succession of statutes enacted "under Edward III. To assert an absolute exemption from imprisonment in all cases, is inconsistent "with every idea of law and political society, and, in the end, would destroy all civil liberty, by ren-"dering its protection impossible: but the glory of the English Law consists in CLEARLY DEFINING "the *times*, the *causes*, and the *extent*, when, *wherefore*, and to *what degree*, the imprisonment of the "subject may be lawful."——BLACKSTONE'S COMMENTARIES. Book III. Chap. 8.

POWER OF IMPRISONMENT,

BY THE

HOUSE OF COMMONS.

IN my last Number, I intimated my resolution to resume the discussion of this question without delay; but, happily for the public cause, I am enabled to effect my intended purpose much more effectually by publishing, by sending, at once, from one end of the kingdom to the other, the whole of the Argument of SIR FRANCIS BURDETT, in the House of Commons, on the 12th instant, together with an *Introductory Address* to his Constituents. ——Reader, look at *the Motto*. There you see a description of the English law in this respect. Is this a mere parcel of words, then? Is it a deception; a fraud; a farce; a humbug; a mere whim; a dream; or is it a reality? Was Blackstone hoaxing the world; or, did he really mean what he said?——Till this point be settled, all other questions are of little importance. Blackstone speaks of the power of *imprisonment at pleasure* as being the worst of all the attributes of tyranny. "Of great importance to the "public," says he, "is the preservation "of this PERSONAL LIBERTY: for, "if once it were left in the power of any, "the highest, magistrate, *to imprison ar-bitrarily whenever he or his officers thought "proper*, there would soon be an end of "all other rights and immunities. Some "have thought that unjust attacks even "upon *life* or *property*, at the arbitrary "will of the magistrate, are *less dangerous* "to the Common-wealth, than such as are "made upon the *personal liberty* of the "subject. To bereave a man of life, or, "by violence, to confiscate his estate, "*without accusation or trial*, would be so "gross and notorious an act of despotism, "as must at once, convey the alarm of "tyranny throughout the whole king-"dom: but confinement of the person by "secretly *hurrying him to jail*, where his "sufferings are unknown or forgotten, is a "less public, a less striking, and therefore, "*a more dangerous engine of arbitrary go-"vernment*."——Just so now; for, who does not perceive, that, if such a man as Sir Francis Burdett had not been found to espouse the cause of *Mr. Gale Jones*, the latter would have been very soon forgotten by the public; while his fate would have operated as a terrific lesson to all those, who know him, and particularly all those who have any thing to do with the Press.——This Privilege of the House of Commons is now discussed for the first time. It was one of the engines by which the kingly government itself was overturned, in the seventeenth century. LORD CLARENDON, in his History of the

Rebellion, Book IV. speaks of it thus.—— "It is not to be believed how many "sober, well-minded men, who were real "lovers of the peace of the kingdom, and "had a full submission and reverence to "the known laws, were imposed upon, "and had their understandings confound-"ed, and so their wills perverted, by "the mere mention *of privilege of Parlia-"ment*; which, instead of the plain and "intelligible notion of it, was by the "dexterity of those boutefeus, and their "*under agents of the Law*, and the su-"pine sottishness of the people, rendered "such a *mystery*, as could be only explain-"ed by themselves, and extended as far "as they found necessary for their occa-"sions, and *was to be acknowledged a good "reason for any thing that no other reason "could be given for.* 'We are, say they, "'and have been always confessed, the "'only judges of our own privileges; "'and therefore whatsoever we declare "'to be our privilege, is such: otherwise "'whosoever determines that it is not so, "'makes himself judge of that, whereof "'the cognisance only belongs to Us.' "And this sophistical riddle perplexed "many, who, notwithstanding the despe-"rate consequence they saw must result "from such logic, taking the first propo-"sition for true, which, being rightly "understood, is so, have not been able to "wind themselves out of the labyrinth "of the conclusion: I say the proposition "rightly understood: they are the only "judges of their own privileges, that is, "upon the breach of those privileges, "*which the law hath declared to be their own*, "and what punishment is to be inflicted "upon such breach. But there can be "*no privilege, of which the law doth not "take notice, and which is not pleadable by, "and at law.*"——Again: "And indeed "these two, of freedom from arrests for "their persons (which *originally* hath not "been of that latitude to make a Parlia-"ment *a sanctuary for bankrupts*, where "any person outlawed hath been declared "incapable of being returned thither a "member) and of liberty of speech, were "accounted their chiefest privileges of "Parliament; For their other, of access "to the king, and correspondence by con-"ference with the Lords, are rather of "the essence of their Councils, than pri-"vileges belonging to them. But that "their being judges of their privileges "should qualify them *to make new privi-"leges*, or that their judgment should "create them such, as it was a doctrine "never before now heard of, so it could "not but produce all those monstrous ef-"fects we have seen; when they have "assumed to swallow all the rights and "prerogatives of the Crown, the liberties "and lands of the Church, the power and "jurisdiction of the Peers, in a word, the "Religion, Laws, and Liberties of Eng-"land, *in the bottomless and insatiable gulph "of their own privileges.* And no doubt "these invasions, on pretence of privi-"lege, will hereafter be judged to have "been the most unparalleled, and capital "breach of those privileges, that had ever "yet been attempted."——Here is the true doctrine of Parliamentary Privilege; and, according to this doctrine, there is no privilege, possessed by the House of Commons, *which* THE LAW *hath not declared to be a privilge.* This is very reasonable. We are not, and need not be, afraid of any Privilege, which *the law* has created; because, in such case, the nature and extent of the Privilege is *defined;* there is a *boundary* to it. But, what do any of us know, or can any of us know, of the nature and extent of those Privileges, which the House itself is to create, and to interpret according to their pleasure?——I will not longer detain the reader from the Article which follows, and which I regard as being of far greater public importance, than any that I ever before published.—I cannot, however, refrain from adding, that, if any one should be inclined to *answer*, through this same channel, arguments that have, as yet, received *no answer*, I shall be, at all times, ready to publish what they may send me, with this sole condition, that they PUT THEIR NAMES to what they send to me for publication. I am, however, thoroughly convinced, that there is no LAWYER in England, who will put his name to an opinion, that there exists in England any man, or body of men, who have a right to cause to be seized and imprisoned any man, without trial, or without oath made against him, and to keep him in prison during the pleasure of the person, or persons, who have committed him; and, I am also thoroughly convinced, that neither the Lord Chief Justice nor any one of the Twelve Judges, would refuse to release MR. JONES, if he were now brought before him upon a writ of Habeas Corpus.

WM. COBBETT.

London, 23d March, 1810.

SIR FRANCIS BURDETT
TO
HIS CONSTITUENTS;

DENYING THE POWER OF THE HOUSE OF COMMONS TO IMPRISON THE PEOPLE OF ENGLAND.*

GENTLEMEN:

The House of Commons having passed a Vote, which amounts to a declaration, that an Order of theirs is to be of more weight than Magna Charta and the Laws of the Land, I think it my duty to lay my sentiments thereon before my Constituents, whose character as free-men, and even whose personal safety, depend, in so great a degree, upon the decision of this question——a question of no less importance than this: Whether our liberty be still to be secured by the laws of our forefathers, or be to lay at the absolute mercy of a part of our fellow-subjects, collected together by means which it is not necessary for me to describe.

In order to give to this subject all the attention to which it is entitled; and to avoid the danger, to be apprehended from partial views and personal feeling, it will be advisable to argue the question on its own merits, putting the individual (however we may deplore his present sufferings) out of view; though, at the same time, every man ought to consider the case his own; because, should the principle, upon which the Gentlemen of the House of Commons have thought proper to act in this instance, be once admitted, it is impossible for any one to conjecture how soon he himself may be summoned from his dwelling, and be hurried, without trial, and without oath made against him, from the bosom of his family into the clutches of a jailor. It is, therefore, now the time to resist the doctrine, upon which Mr. Jones has been sent to Newgate; or, it is high time to cease all pretensions to those Liberties, which were acquired by our forefathers, after so many struggles and so many sacrifices.

Either the House of Commons is authorized to dispense with the Laws of the Land; or it is not. If the Constitution be of so delicate a texture, so weak a frame, so fragile a substance, that it is to be only spoken of in terms of admiration, and to be viewed merely as a piece of curious but unprofitable workmanship; if Magna Charta and all the wholesome Laws of England be a dead-letter: in that case, the affirmative of the proposition may be admitted; but, if the Constitution lives, and is applicable to its ends; namely, the happiness of the community, the perfect security of the life, liberty, and property of each member and all the members of the society; then the affirmative of the proposition can never be admitted; then must we be free-men; for we need no better security, no more powerful protection for our Rights and Liberties, than the Laws and Constitution. We seek for, and we need seek for, *nothing new;* we ask for no more than what our forefathers insisted upon as their own; we ask for no more than what they bequeathed unto us; we ask for no more than what they, in the Testament which some of them had sealed, and, which the rest of them were ready to seal, with their blood, expressly declared to be "*the Birth-right* of the People of England;" namely, "THE LAWS OF ENGLAND." To these Laws we have a right to look, with confidence, for security; to these laws the individual now imprisoned has, through me, applied for redress in vain. Those, who have imprisoned him, have refused to listen to my voice, weakly expressing the strong principles of the Law, the undeniable claims of this Englishman's "*Birth-right.*" Your voice may come with more force; may command greater respect; and, I am not without hope, that it may prove irresistible, if it proclaim to this House of Commons, in the same tone as the tongues of our ancestors proclaimed to the kings of old, "NOLU-"MUS LEGES ANGLIÆ MUTARI;" or, in our own more clear and not less forcible language; "THE LAWS OF ENGLAND SHALL "NOT BE CHANGED."

The Principle, Fellow-Citizens, for which we are now contending, is the same principle, for which the people of England have contended from the earliest ages, and their glorious success in which contests are now upon record in the Great Charter of our Rights and Liberties, and in divers other subsequent Statutes of scarcely less importance. It was this same great

* For the convenience of those who may not take the Register, this Address will be published on Monday in the shape of a Pamphlet.

Principle, which was again attacked by Charles the First, in the measure of Ship Money, when again the People of England and an uncorrupted House of Commons renewed the contest; a contest which ended in the Imprisonment, the Trial, the Condemnation, and the Execution of that ill-advised King. The self same Principle it was, that was so daringly violated by his son James the Second; for which violation he was compelled to flee from the just indignation of the People, who not only stript him of his Crown, but who prevented that Crown from descending to his family. *In* all these contests, the courage, perseverance, and fortitude of our ancestors, conspicuous as they were, were not more so than their wisdom; for, talk as long as we will about Rights, Liberties, Franchises, Privileges and Immunities, of what avail are any, or all of these together, if our persons can, at the sole will and command of any man, or set of men, be seized on, thrown into prison, and there kept during the pleasure of that man or set of men? If every one of you, be liable, at any time, to be sent to jail without trial, and without oath made against you, and there to be detained as long as it pleases the parties sending you there (perhaps to the end of your life), without any Court to appeal to, without any means of redress: if this be the case, shall we still boast of the Laws and of the Liberties of England? Volumes have been written by Foreigners as well as by our own countrymen in praise of this part of our Law, which, in so admirable a manner, provides for our personal safety against any attacks of men in power. This has, indeed, been, in all ages, the pride of our country; and it is the maintenance of this principle which enabled us to escape that bondage, in which all the States and Kingdoms in Europe were enthralled by abandoning and yielding it up; and, we may be assured, that if we now abandon it, the bright days of England's glory will set in the night of her disgrace.

But, I would fain believe that such is not to be our fate. Our Fore-fathers made stern grim-visaged PREROGATIVE hide his head: they broke in pieces his sharp and massy sword. And, shall we, their Sons, be afraid to enter the lists with undefined PRIVILEGE, assuming the powers of Prerogative?

I shall be told, perhaps, that there is not much danger of this power being *very frequently* exercised. The same apology may be made for the exercise of any power, whatever. I do not suppose that the Gentlemen of the House of Commons will send any of you to jail, when you do not displease them. Mr. Yorke did not move for the sending of Mr. Jones to jail, until Mr. Jones displeased him: but, it is not a very great compliment to pay to any Constitution, to say, that it does not permit a man to be imprisoned, unless he has done something to displease persons in power. It would be difficult, I should suppose, to find any man upon earth, however despotic his disposition, who would not be contented with the power of sending to prison, during his pleasure, every one who should dare to do any thing to displease him. Besides, when I am told, that there is little danger that the Gentlemen in the House of Commons will *often* exercise this power, I cannot help observing, that, though the examples may be few, their effect will, naturally, be great and general. At this moment, it is true, we see but one man actually in jail for having displeased those Gentlemen; but, the fate of this one man (as is the effect of all punishments) will deter others from expressing their opinions of the conduct of those who have had the power to punish him. And, moreover, it is in the nature of all power, and especially of assumed and undefined power, to increase as it advances in age; and, as Magna Charta and the Law of the Land have not been sufficient to protect Mr. Jones; as we have seen him sent to jail for having described the conduct of one of the members as an *outrage upon public feeling*, what security have we, unless this power of Imprisonment be given up, that we shall not see other men sent to jail for stating their opinion respecting Rotten Boroughs, respecting Placemen and Pensioners sitting in the House; or, in short, for making any declaration, giving any opinion, stating any fact, betraying any feeling, whether by writing, by word of mouth, or by gesture, which may displease any of the Gentlemen assembled in St. Stephen's Chapel?

Then, again, as to the *kind* of punishment; why should they stop at sending persons to jail? If they can send whom they please to jail; if they can keep the persons, so sent, in jail as long as they please; if they can set their prisoners free at the end of the first hour, or keep them confined for seven years: if, in short, their absolute Will is to have the

force of Law, what security can you have, that they will stop at *Imprisonment?* If they have the absolute power of imprisoning and releasing, why may they not send their prisoners to York Jail, as well as to a jail in London? Why not confine men in solitary cells, or load them with chains and bolts? They have not gone these lengths yet; but, what is there to restrain them, if they are to be the sole judges of the extent of their own powers, and if they are to exercise those powers without any controul, and without leaving the parties, whom they choose to punish, any mode of appeal, any means of redress?

That a Power such as this should exist in any country it is lamentable to be obliged to believe; but, that it should be suffered to exist, and that its existence should be openly and even boastfully avowed, in a country, whose chief glory has been its free constitution of government, is something too monstrous to be believed, if the proof were not before our eyes. Had the least doubt hung upon my mind of the illegality of the proceedings in the present case, it would have been altogether removed by the answers given to the references made by me to the Great Luminaries of our Law, and to the Laws themselves. The Argument, by which I endeavoured to convince the Gentlemen of the House of Commons, that their acts, in the case of Mr. Jones, were illegal, I shall now lay before you, in a more full and connected way than it could possibly be done by the Parliamentary Reporters; and, in doing this, I shall do all that now remains in my power towards the correction of this, as I deem it, most enormous Abuse of Power, and most dangerous of all encroachments upon the Rights and Liberties of Englishmen.

I remain, Gentlemen,
Your most obedient
humble Servant,
FRANCIS BURDETT.

Piccadilly, March 23, 1810.

ARGUMENT.

In order to make clearly understood the Argument which is here submitted to the consideration of the Public, it will be necessary, first, simply to state the question about to be discussed, as it was proposed originally to the House of Commons, and to endeavour to put out of view altogether, as making no part of the present enquiry, every other Privilege or Power for which the House of Commons may contend. I am the more anxious upon this point, on account of the difficulty experienced during the discussion in the House of Commons, of keeping separate, things, in their nature totally dissimilar, and quite distinct, but always confounded: namely, The other Privileges and Powers contended for by the House of Commons, and that which we are now about to discuss;—"*The Power exercised by the House of Commons of passing a Sentence of Imprisonment on any person not being a Member of that House*" It will be necessary to keep our minds constantly fixed upon this simple question alone, and to apply to it, and to it only, all the arguments about to be adduced in the course of this enquiry.

Had I not been prevented by indisposition from being present when the House of Commons passed by vote a Sentence of Imprisonment on Mr. Gale Jones, I should have endeavoured to shew, That under the false notion of Privilege, they were exercising a power, and committing an act of oppression, ill suited to the character of Guardians of Public Liberty, and destructive of the first and most important object of the Constitution, viz. The Personal Security of the Subject.

Though I was well aware of the greater difficulty of persuading men to recall an act once committed, than to prevent its commission—it being much more easy to slide into than to recover from error—I would not allow that consideration to deter me from what my duty called upon me to attempt. To others I shall always leave fanciful ideas, suggested by wild metaphysical imaginations, on the supposed nature of what they may be pleased to call Privilege, or any other chimerical, undefined non-descript; and, as a plain man, be content, upon this as upon all other occasions, to be guided by the old Laws of the Land; in which alone I am able to find The Constitution of this Country—the Liberty which I claim as the inheritance of Englishmen—and that Standard by which and by which alone, every act and proceeding of any man or body of men ought to be measured.

The Common Law of the Land is the inalienable inheritance of the people. It is, says Lord Coke, "The Inheritance of "Inheritances: it is the best birth-right "the Subject hath; for thereby his goods, "lands, wife, children, his body, life, "honour and estimation are protected "from injury and wrong: *Major hæredi-*

"*tas venit unicuique acetrum à jure et legibus* "*quam à parentibus.* It is highest above "the highest: None are above its reach, "nor any beneath its protection: Its foun- "dations are laid broad and deep in na- "ture and reason; and therefore not to be "removed from those foundations by any "power upon earth *." "The Law of "England," says the great Lawyer Plow- den, "is no other than pure and tried "reason†." And, according to Lord Coke, "the absolute perfection of Reason. The "ground whereof is beyond the memory "or register of any beginning ‡."

The question, then, for the People to consider, is, Whether a Vote of the House of Commons can deprive them of these their imprescriptible Rights?

Many are the Statutes, which, embody- ing these principles of the Common Law, have declared, That no Order, Writ or Commandment whatsoever, either from the King, *or any other*, shall stop the Common Law: That it shall by no means be delayed, being the surest sanctuary for the innocent, and the strongest fortress to protect the weak. It has clipt the wings of high-flying prerogative; and will, I trust, yet dissolve the potent spell of un- defined Privilege of Parliament: for, there are no Powers or Privileges, even the highest, that are not bounded by the known ascertained Laws of the Land. If, therefore, any man, or set of men, lay claim to Privileges or Powers, not recogni- zed by, but repugnant to, those Laws; such claims ought to be legally resisted by every one who values regulated Liberty, and abhors Anarchy or Despotism—the never- failing consequence of departing there- from.

Founded on such a basis; fortified by such Authorities as I shall have occasion to appeal to in the progress of this enquiry, I have little doubt of being able to con- vince every impartial mind, that the House of Commons, by proceeding to judgment— passing a Sentence of Imprisonment—and issuing a Warrant of Commitment, has gone beyond its prescribed limits, acted in a manner inconsistent with the ends of its institution; and violated the funda- mental principles of the Law and Con- stitution of the Land. And this I shall prove by the application of the standard of the law to the Proceedings of that House.

To bring this question fairly into dis- cussion, it will be necessary to state the origin and extent, from which will appear the nature and reason, of the Privileges of Members of Parliament.

The first mention of Privilege of Par- liament is to be found in Spellman, who records a law of king Canute, "*Omnis* "*homo eundo ad Gemotum, vel redeundo à Ge-* "*moto habeat pacem.*" "That every one going to, or coming from the Wittena ge- motte, should have protection."

The next notice of Privileges is to be found in two Writs of Supersedeas of Ed- ward the second to privilege members from being sued in any court, (sitting the parliament) and which are still extant.

The extent of these Privileges cannot be better set forth than in the following Order of the House of Commons, of the 1st of June 1621, supposed to have been drawn up by sir Edward Coke, then a leading member of the House:

"Ordered, upon question, That if any "Arrest, or any distress of goods, serving "any process, summoning his land, cita- "tion or summoning his person, arresting "his person, suing him in any court, or "breaking any other privilege of this "House, a letter shall issue, under Mr. "Speaker's hand, for the party's re- "lief therein, as if the parliament was "sitting; and the party, refusing to obey "it, to be censured at the next Access."*

On the 18th of December 1621, the following Protestation concerning the Pri- vileges of the House of Commons, was agreed to, and ordered to be entered in the Journal:

"The Commons, now assembled in par- "liament being justly occasioned there- "unto, concerning sundry Liberties, Fran- "chises, Privileges, and Jurisdictions of "Parliament, amongst others not herein- "mentioned, do make this Protestation "following: That the Liberties, Fran- "chises, Privileges and Jurisdictions of "Parliament, are the ancient and un- "doubted birthright and inheritance of "the subjects of England; and that the "arduous and urgent affairs concerning "the King, State, and the Defence of the "Realm, and of the Church of England, "and the making and maintenance of "laws, and redress of mischiefs and griev-

* Coke Lit. 141. a. 2 Inst. 56. 63.

† Plowden, 316.

‡ Coke, 2 Inst. 179. Coke, Lit. 976.

* 1st Commons' Journals, 634.

"ances, which daily happen within this "realm, are proper subjects and matter "of counsel and debate in parliament: "and that in the handling and proceeding "of those businesses every member of the "house hath, and of right ought to have, "Freedom of Speech, to propound, treat, "reason and bring to conclusion the "same: that the Commons in Parliament "have like liberty and freedom to treat "of those matters, in such order, as, "in their judgments shall seem fittest: "and that every such member of the said "house hath like freedom from all im-"peachment, imprisonment, and molesta-"tion (other than by the censure of the "house itself) for, or concerning any bill, "speaking, reasoning or declaring of any "matter or matters, touching the parlia-"ment or parliament business; and that, "if any of the said members be complain-"ed of, and *questioned* for any thing said "or done in parliament, the same is to be "shewed to the king, by the advice and "assent of all the Commons assembled in "parliament, before the king give cre-"dence to any private information."*

The nature and reason of these Privileges are declared by a Resolution of the House of Lords, May 28th, 1624. On which day, the Earl Marshal, from the Committee for searching Precedents to sustain the Privileges, &c. of the House, made the following Report: viz.

> "How far the Privileges of the No-
> "bility do clearly extend, concern-
> "ing the Freedom of their Servants
> "and Followers from Arrests.

"To all their menial servants and those "of their family, and also those em-"ployed, necessarily and properly, about "their estates as well as their persons.— "This freedom to continue twenty days "before and after every session; in which "time the Lords may conveniently go "home to their houses in the most re-"mote parts of the kingdom.—That all "the Lords, after the end of this session, "be very careful in this point, and, re-"member the ground of this Privilege; "which was, only, in regard they should "not be distracted, by the trouble of their "servants, from attending the serious af-"fairs of the kingdom; that therefore "they will not pervert that Privilege to "the public injustice of the kingdom, "which was given them, chiefly, that "the whole realm might, in this High "Court, draw the clear light of justice "from them. In which case, every one "ought rather to keep *far within*, than "any way exceed their due limits.—That "hereafter, before any person be sent for "in this kind, the lord whom he serves "shall, either by himself or by his let-"ter, or by some message, certify the "house upon his honour, that the person "arrested is within the limits of the Pri-"vilege before expressed.—And, for the "particulars, they must be left to the "judgment of the House, as the case shall "come in question; wherein the House "wants no means, as well by oath as "without, to find out the true nature of "the servant's quality in his lord's ser-"vice. Thereupon, if it be adjudged by "the House contrary to the true intent, "any member whatsoever must not think "it strange, if in such a case, both him-"self suffer reproof, as the house shall "think fit, and his servant receive no be-"nefit by the privilege, but pay the fees; "because the justice of the kingdom must "be preferred before any personal respect, "and none to be spared that shall offend "after so fair a warning.—Ordered to be "observed accordingly, with this altera-"tion, viz. This freedom to begin with "the date of the writ of summons, and to "continue twenty days after every ses-"sion of parliament."*

We may reasonably conclude, that all the Privileges, the House of Commons then thought itself entitled to, were enumerated in the Order of the 1st of June 1621, as sir Edward Coke, so well acquainted with, and then contending for them against the undue prerogative of the crown, claimed no more.

Whenever these Privileges, so modestly and reasonably claimed, and so necessarily complied with, were infringed, they were as modestly and reasonably maintained by an appeal to the tribunal of the Laws: which is apparent by reference to all the Cases of Privilege which occurred up to the time of the Civil War. As for instance:

In 1427, one Richard Chedder, a menial servant, attending upon sir Thomas Brooke one of the knights for Somerset-shire, who was assaulted, beaten, and cruelly maimed, was content to seek redress by law †.

* 1 Cobbett's Parl. Hist. 1361.

* 1 Cobbett's Parl. Hist. 1488.

† 1 Hatsell, 14.

In 1430, William Larke, servant to William Mildred one of the members for the City of London, was committed to the Fleet on an execution of debt, and delivered in due course of law *.

And in 1433, an act of parliament was made, adjudging a heavier penalty for the assaulting a member, than the law had previously inflicted. The act is entitled "An Act against assaults made upon Lords or others coming to the Parliament."

In 1456, Thorpe, the Speaker, was arrested at the suit of the duke of York, on which the Commons appealed to the whole parliament, who referred the case to the Judges, whose opinion was in favour of Thorpe's being entitled to privilege: notwithstanding which, the Parliament decided otherways, and the Commons acquiesced and chose another Speaker †. What is remarkable in this case is, that both the Judges and the Parliament appeal to the same maxim: both apply the same argument as conclusive, viz. "That the party aggrieved could have no redress, and that there could be no wrong without a remedy." The Judges determine from this maxim and from this reason, that no general Writ of *Supersedeas* could lay, "because" (say they) "if it could, the High Court of Parliament, from which all justice and equity ought to flow, would seem to stop the course of justice, and leave the party aggrieved without remedy." And the Parliament yield to this same reason set forth by the duke of York in the argument against Thorpe's being allowed Privilege, viz. "That in case it was granted to Thorpe in this instance, the party aggrieved could have no remedy." So that we have the Opinion of the Judges and the Decision of the Parliament equally determined by the never failing maxim, "That there can be no Wrong without a Remedy."

In 1461, Walter Clarke, a Member arrested, was relieved by law ‡.

In 1472, John Walsh, servant to the Earl of Essex, being sued in the courts below, pleaded Privilege not to be sued as being servant to a member of parliament: but the Judges decided that there was no such Privilege ||.

In 1543, in the case of George Ferrers, who was arrested, and who, as well as being a member of parliament, was servant to the king—*on which account*, the Commons seem to have proceeded in a different manner, by sending the Serjeant at Arms *for the first time*, to relieve their member. This was resisted by the Sheriffs with violence, the Serjeant had his mace broke, and returned without the member; whereupon, the Sheriffs were summoned before King, Lords and Commons, who referred their punishment to the latter, who sent them to jail.*

In 1515, Trewynnard, a member, was arrested and relieved according to law by writ of Privilege; for obeying which, the Sheriff sustained an action for escape.†

Another case in the reign of Henry the 8th is very remarkable; namely, that of Mr. Stroud a member; who for bringing a bill into parliament for regulating the Tinners in Cornwall, was upon the breaking up of parliament, *questioned* for it in the Court of Stannaries—fined and imprisoned in Lilford Castle; but relieved by due course of law, by Writ of Privilege.‡

In 1580, the singular and complicated Case of Mr. Hall, a member, occurs; who having written a Book derogatory to the character of the House, and having published the same against its Orders, and misrepresented its Proceedings; and having besides written an impudent Letter to the Speaker, and being absent when ordered to attend in his place, was imprisoned.||

In all these Cases we may observe, that Members, when their Privileges were violated, and their Persons arrested, were content to appeal to the Law, and had that tenderness and respect for other men's Rights as well as their own Privileges, as to make provision for the interest of creditors, when affected by their Privileges, and to indemnify officers against actions for escape, to which they were legally liable for giving up their prisoners. And never did the Members of the House of Commons presume to overleap the bounds of the Constitution, and take the law into their own hands, till the days of the Long Parliament; when, from the peculiar circumstances of the country, in order to resist the arbitrary encroachments of a

* 1 Hatsell, 17.
† Ibid. 28. 1 Cobbett's Parl. Hist. 392.
‡ 1 Hatsell, 35.
|| Ibid. 41.

* 1 Hatsell, 53. 1 Cobbett's Parl. Hist. 553.
† 1 Hatsell, 59.
‡ Ibid. 86, 120, 206.
|| Ibid. 93.

despotic Prince, the House of Commons found it absolutely necessary in the struggle, not only to extend their Privileges, but to assume powers, the exercise of which abolished the House of Lords, brought the King to the block, and ultimately dissolved the whole frame of the Government. If these usurpations of Power were not only acquiesced in, but strenuously supported by the People, it was because they were supposed to be indispensibly necessary to enable the House of Commons to stem the torrent of tyranny which was sweeping every thing before it to destruction; and as the only means of wresting from the grasp of despotism, the expiring Liberties of the country.

But these, surely, are not sources sufficiently clear, nor times sufficiently analogous to justify our drawing thence instances, miscalled Precedents, to countenance similar proceedings under a legal, settled, and established system of government. But as every day's experience will inform us how reluctantly all men relinquish power and authority, which they have once exercised, even after having experienced its mischiefs, so was the House of Commons after the Restoration unwilling to yield up its usurped power and authority, submitted to in times of trouble and commotion, but incompatible with the return of order and the laws.

Accordingly, we find in the Cases of Dr. Carey, Mr. Fitten, sir Samuel Barnardiston, Shirley, and Stoughton *versus* Onslow, the pretensions to Power under the name of Privilege still clung to by both Houses of Parliament, but as constantly denied and resisted by each House in its turn; the one always denying the usurpation of the other, and the parties aggrieved the authority of both: Consequently, no power or authority is acknowledged or allowed to belong to either. But the following Case, which occurred about the same time, and which having been argued at a Conference between the two Houses is entitled to more particular notice, is that of the four Council in the Appeal of sir Nicholas Crispe *versus* the lady Bowyer, Dalmahoy and others, who were taken into the custody of the Serjeant at Arms, for pleading before the Lords, contrary to an Order of the House of Commons to forbid them; at which Conference the Lords assert, That the House of Commons is no Court, has no authority to administer an Oath, or to give a Judgment; that it is a transcendant invasion of the Liberty of the Subject; that it is against Magna Charta, the Petition of Right, and many other laws, which have provided, That no freeman shall be imprisoned, or otherwise restrained of his liberty, but by due process of law; that it tends to the subversion of the government of the kingdom, because it is in the nature of an Injunction from the Lower House, which has no authority or power of jurisdiction over *inferior subjects*, much less over the King and Lords:* Which arguments, not to be controverted, the House of Commons contented itself with replying to, by retorts upon the assumed jurisdiction of the House of Lords, and by advancing empty assertions of its own authority, without attempting to offer a shadow of proof in their support.

But in the Case of sir Samuel Barnardiston before mentioned, it is curious to observe the two Houses changing sides. The House of Commons then becomes, in its turn, the advocate for Magna Charta and the Rights of the People against the usurping jurisdiction and arbitrary pretentions of the House of Lords. Each House deciding as equitably against the unjust pretensions of the other, and according to the laws and the interest of the public; and as regardless of all equity, the public interest and the laws, when taking upon it to decide in its own cause; thus affording a strong additional illustration of the old wholesome doctrine, "That no "one ought to be judge in his own cause."

From this period to that of the Revolution, the first instance that occurs, is that of a Pamphlet on clipping and coining guineas. The House of Commons offered a reward for the discovery of the author, and ordered the Pamphlet to be burned.

The next case that occurs, is that of Dr. Welwood, who published a weekly paper, reflecting upon the whole House. He was reprimanded and discharged.†

Complaint being made against a Book entitled "King William and Queen Mary Conquerors," said to be written by Charles Blount, esq. was ordered to be burnt: as likewise was a Pastoral Letter at the same time.‡ Dyer, a News-paper man, was reprimanded for publishing Debates, and discharged‖.

Having briefly noticed these important

* 4 Cobbett's Parl. Hist. 733.
† 5 Cobbett's Parl. Hist. 658.
‡ Ibid. 756.
‖ Ibid. 862.

Cases, I shall next proceed to direct the public attention to the remarkable Case of Bridgeman *versus* Holt* in 1696-7. The duchess of Grafton having claimed under a patent of Charles the second, a right to appoint the Clerk to the King's Bench, Lord Chief Justice Holt contested the claim. It was a trial at bar, and was decided against the Duchess in favour of Lord Chief Justice Holt. Upon which, the counsel of Bridgeman, who had been nominated as Clerk by the Duchess, tendered a Bill of Exceptions, which the Justices refused to seal. In consequence of which, a Petition, complaining of the conduct of the Judges, was presented to the House of Lords, accusing sir Wm. Dolben, sir Wm. Gregory, and sir Giles Eyre, Justices of the King's Bench, of acting illegally in having so refused. They were, in consequence of this Charge, summoned by the House of Lords to appear before them, and answer to the complaint made in the Petition. Which the Judges refused to do: and they, in a solemn well-digested Argument, denied the Jurisdiction of the House of Lords, and insisted upon their undoubted Right, as Englishmen, to a Trial by a Jury of their equals, in case they, in any thing, were accused of having done wrong, and claimed the benefit of being tried according to the known course of the Common Law: they relied upon Magna Charta as free born Englishmen, which, they said, was made for them as well as for others; that all Powers and Privileges in the kingdom, even the highest, are circumscribed by the laws, and have their limits. In the Courts of Westminster, (said they) the Law is determined by one, and the Fact ascertained by another; *here*, both the Law and the Fact would be in the same hands. If the House of Lords should punish, could such order stop or bar the legal process hereafter? or be used below as a recovery or acquittal?—as an *autrefois convict?* or *autrefois acquit?* Would the Proceedings in the House of Lords save them from the trouble of answering to an information or indictment *for the same thing* elsewhere?

Here it is to be remarked, that when the Judges of the land were attacked by an unwarrantable power, they sheltered themselves behind the broad shield of Magna Charta and the Trial by Jury, well knowing the value of such a protection—and they conclude with these memorable words: "Some persons have, perhaps, "from a diffidence of success, or from a "slavish fear, or private policy, forborne "to question the power of their superiors, "but the Judges must betray their reputation, and their knowledge of the laws, "if they should own a jurisdiction which "former times and their predecessors "were unacquainted with." Whereupon, the Petition was dismissed.

If these reasons were conclusive against the jurisdiction of the House of Lords, they apply much more forcibly to the House of Commons: for the House of Lords retains the judicial authority of the parliament, being a Court of Appeal; but, the House of Commons has no judicial function to perform, and is no court at all. The Judges claimed no more than their right as commoners of England in Magna Charta and the Common Law of the land; which they contended, and with success, admitted of no man's being tried, except by a jury of his equals. They affirmed, that all Powers and Privileges in the kingdom, even the highest, are circumscribed by the laws of the land, and that they, the Judges, should betray a slavish fear and gross ignorance, if they permitted such an usurpation to be drawn into a precedent unknown to former times.

These arguments, which need no further comment, ought to have been sufficient to put an end to all such pretensions in either house of parliament for ever; but so reluctantly do all men part with power, that we find the Lords in the very next year, 1697, in the Case of Lord Banbury, summoning Lord Chief Justice Holt, to appear before a Committee of their House; but Lord Chief Justice Holt refused to appear, and the Lords listened to the voice of reason, and dropped their pretensions.

From these solemn acts of venerable Judges in good times, it is evident, that undefined Privileges in the Houses of Parliament were unknown to the Constitution and the Law; though, sometimes, perhaps, yielded to from ignorance or fear, but in which the Judges who knew the laws would not acquiesce.

This sound exposition of the Law, and the conduct and example of the Judges, might reasonably have been expected to operate as a prevention of any further disquietude of an English subject from the power of either house of parliament: And that it did produce a considerable effect, we may presume from the number of subsequent Cases, in which neither

* Shower's Cases in Parliament, 111.

House presumed to trench upon the Liberty of the Subject. For instance: in the year,

1698. Molyneux's "State of Ireland," He refused to appear, and the House of Commons addressed the King to discontinue the like Works in future.

1699. Mr. Chivers, a member, was ordered to attend for a contempt; but declined coming: and, next day, on its being put to the vote, Whether he should be taken into custody by the Serjeant at Arms? it was carried in the negative.

1702. Doctor Drake's "History of the last Parliament," a libel.

1707. Doctor Friend's "Account of Lord Peterborough's Conduct in Spain," a libel.

1719. Hall's "Sober Reply,"—a work against the Trinity.

1750. "Constitutional Queries."

1763. Wilkes's "Essay on Woman," to which the name of Bishop Warburton was prefixed as the author.

1763. Wilkes's "North Briton, No. 45."

1763. Veni Creator paraphrased.

In all of which Cases, whether for libeling any member of either house, or the whole house, or both houses, or the whole frame of the government, both Lords and Commons were content to pursue the known course of the Law, and left the party accused to be tried by the law of the land and a jury of his country.

There is a Case which, though prior in point of time, I have reserved for the last, because it demands a few observations: That of the Kentish Petition* in 1701, presented to the House of Commons by Mr. Colepepper and four other Kentish Gentlemen: Voted by the house libellous, seditious, and a breach of privilege, and for presenting which the House of Commons sentenced these five gentlemen to be imprisoned. Is this an act to be justified and drawn into precedent? And of what avail is any precedent from the proceedings of an assembly whose conduct is arbitrary, and whose actions are measured by the crooked cord of its own discretion, not by the golden meteyard of the law?

The next and the last Case I shall have occasion to adduce, is that of the Middlesex Journal, in 1771, when the Serjeant at Arms of the House of Commons was sent by their order to arrest the Printer; instead of which, the Printer took up the Serjeant, and brought him before Crosby, Lord Mayor, and Alderman Wilkes and Oliver, who committed the Serjeant. Notwithstanding this outrage which the House of Commons sustained by the attack upon its officer, it presumed not to touch any of the offending parties, except its own members, the Lord Mayor and Alderman Oliver; passing over the Printer, the Journalist, and Alderman Wilkes, who, at that time, was not a member of the House —than which disaffirmance of its Power a stronger proof cannot be conceived.

Lest it should be possible that any person should attach the slightest importance to the Resolutions of either House of Parliament, which may go to affect those who are not members of those bodies, it may be necessary to remark, that the Journals furnish Resolutions of the most contradictory nature: for instance,

April 3, 1626-7, Resolved, "That the "Writ of Habeas Corpus cannot be denied, "but ought to be granted to every man, "that is committed or detained in prison, "or otherwise restrained, by the command "of the king, the privy-council, or any "other; he praying the same *."

June 9, 1705, Resolved, *nem. con.* "That "no commoner of England, committed "by Order or Warrant of the House of "Commons, for breach of privilege, or "contempt of that House, ought without "order of that House to be, by any Writ "of Habeas Corpus, or other authority "whatsoever, made to appear and answer, "and do, and receive a determination in "the House of Peers, during the session "of parliament wherein such person was "committed †."

And, in 1740, in Walpole's Case, it was resolved by the Lords, "That any attempt "to punish a man without a trial or hearing, was contrary to the natural princi- "ples of Justice and Liberty." And, in the Case of Skinner *versus* the East India Company, in 1675, the Commons Resolved, "That assuming a jurisdiction over the "Case, being relievable at common law, "is contrary to law, and tends to introduce arbitrary powers."—But, to Resolutions of the House of Commons, Sir Fletcher Norton said, when Attorney General, (and he was afterwards selected,

* 5 Cobbett's Parl. Hist. 1250. See also "The History of the Kentish Petition," in the Appendix to the same volume, No. XVII.

* 2 Cobbett's Parl. Hist. 259.

† 6 Cobbett's Parl. Hist. 43 f.

for his knowledge of the laws, usage, and custom of parliament, to fill the Chair), "He would pay no more respect, than to the Resolutions of so many drunken porters at an ale-house." The expression was coarse, but the principle is just.

It has been shewn, from the Opinions of learned Judges—from the Declaration of both Houses of Parliament, when not judging in their own cause,—and from undeniable legal Maxims, that the power exercised by the House of Commons, of passing a Sentence of Imprisonment upon any person, not a member of its body, is contrary to the Common Law, to Magna Charta, and every constitutional principle. I will now go further, and undertake to prove that not only every fundamental principle of the Common Law has been violated, but that every express provision of the Statute Law, for the personal security of the subject, has been transgressed. For which purpose it will be necessary to examine strictly, and with the utmost precision, what the legal and constitutional functions of the House of Commons are: supposing, for the sake of the argument, that they are the fairly chosen Representatives of the People. Its Privileges we have enumerated from the highest authority. Let us now consider its Powers—begging that the Reader will never lose sight of the wide distinction between Privilege and Power.

Its Powers, then, briefly are: To remove Obstructions to its Proceedings: to abate a Nuisance legally called Contempt: As the Grand Inquest of the Nation (which very term is enough to shew that its office is but to enquire, not to punish), it has authority to summon Witnesses for the purpose of instituting Inquiries into Public Grievances—of controuling Public Expenditure, and of impeaching Public Delinquents, in furtherance of justice, with a view to Judgment at the Tribunal of the Laws.

Such being its Powers, it will be necessary, in the next place, to examine it in another point of view, viz. as a Court exercising judicial Powers. And here, at the outset, we discover, that it is not a Court of Record, because it cannot hold Plea of Debt or Damage to the amount of forty shillings. Lord Coke says, "That "a Court *not* of Record, is where it can- "not hold Plea of Debt or Damage to the "amount of forty shillings;" and he expressly lays it down, "That no Court not "of Record can fine or imprison," as resolved *per totam curiam*, on argument in Griesley's Case, as well as by Holt, in the Case of Grenville, *versus* Barwell. To impose a Fine of the lowest denomination the House of Commons has relinquished its former pretensions. If it does not, then, presume to impose the smallest Fine, does it not necessarily follow, that it cannot inflict the higher punishment of Imprisonment? It is an acknowledged maxim in Law: "*Cui minus non convenit, ei non majus convenit;*" and, of how much more value, in the eye of Reason and the Law, is a man's Person, than his Property, though it protects both. To what end, indeed, should a man acquire Property, if his Person is insecure? The notion entertained by our old lawyers, respecting Imprisonment, which is the highest execution of the law short of death; the importance attached by them to the power of imprisoning men, may be collected from Lord Coke, who says, "That a man in prison is dead in law; he is *homo mortuus*, lost to society, himself, his family, and his friends; and that a man indefinitely imprisoned is a man in Hell." And the Gospel says, "Is not the Life more than meat, and the Body than raiment?" In which word "raiment" all external possessions are included.

This part of the subject may be reduced to a Syllogism:—

No Court, that cannot hold Plea of Debt or Damage to the amount of forty shillings, is a Court of Record.

The House of Commons can hold no such Plea.

Therefore is not a Court of Record—therefore cannot fine or imprison.

We will now try this pretension of the House of Commons by the test of its own proceedings.

The party is summoned to the bar to answer interrogatories. Should he be unwilling to do this; he is sent to prison.—See the Case of Mr. Howard, 1675.* Should he confess, he is likewise sent to prison. See the Case of Mr. Jones, 1810. No legal evidence can be brought. The House is stopped *in limine*; for it cannot administer an oath; and Magna Charta, who, says my Lord Coke, is such a fellow, that he will bear no equal—arrests its further progress—declaring, "That no "man shall be put to his law on the bare "suggestion of another, but by lawful "witnesses." Therefore, the House can-

* 4 Cobbett's Parl. Hist. 776.

not proceed to trial: consequently, can deliver no Judgment—can pass no Sentence. Magna Charta declares, "That "no Freeman shall be arrested, imprisoned, "or in any way destroyed, but by the "Judgment of his Peers, or the Law of "the Land;" and these words, *per legem terræ*, or law of the land, are well and fully explained by the Statutes in confirmation of Magna Charta. The 5th, 25th, 28th, 37th and 42d of Edward the 3d: which declare, That no man shall be put to answer without presentment of good and lawful men, before Justices, or matter of record, or writ original, or in due process of law. They also declare, That all enactments contrary to Magna Charta, are, *ipso facto*, null and void. And hereupon, says Lord Coke, all Commissions are grounded, always having this Sentence, "*Facturi quod ad justitiam pertinet, secundum legem et consuetudinem Angliæ.*" It is not, says Lord Coke, "*Secundum legem et consuetudinem Regis Angliæ,*" lest it should be thought to bind the King only. Nor is it, "*Secundum legem et consuetudinem Populi Angliæ,*" lest it may be thought to bind the People only;—but *per legem terræ id est Angliæ*, That the law may extend to all.

Empson and Dudley committed grievous oppressions under cover of an act of Henry the 7th; which shews the danger of shaking this fundamental law, by delegating discretionary powers to Justices of the Peace or others, without trial, by twelve lawful men. To repeal which, the 1st of Henry the 8th was enacted, and "to deter," says the Act, "others by their fearful end, from similar courses, and to admonish future Parliaments, that instead of this ordinary and precious Trial *per legem terræ*, they bring not in absolute and partial trials by discretion." It is worthy of remark, that Empson and Dudley were hanged, for going contrary to Magna Charta, notwithstanding that they acted under the authority of an Act of Parliament; and, above all, we should lay to heart, that warning given to future Parliaments, not to take away the precious Trial by Jury, and not to introduce discretionary jurisdiction contrary to Magna Charta, and the Common law.*

Yet, limited and circumscribed as the House of Commons is—having no means of trial—no rules of judicial proceeding—being no Court of Record—not presuming to fine—not competent to administer an oath—nevertheless, it takes upon itself; first, to determine the crime *ex post facto*: secondly, it calls upon the accused, to criminate himself, contrary to every principle of English law: and in this extrajudicial manner upon a man criminating himself (so far as avowing himself the author of what has not been proved to be a crime, can be called criminating himself) the House proceeds to Judgment, and investing itself with all the powers of Grand Jury, Petty Jury, Accuser, Judge and Executioner, without evidence, without trial, it pronounces a Sentence of indefinite imprisonment, and this in its own cause—where, least of all, it should take upon itself to decide.

Let us next examine these proceedings by the rules of the Law, and again recur to that grand expounder of the Law, Lord Coke; who says, 1st Inst. sec. 3d.—"No "man can be arrested or imprisoned con-"trary to the form of the Great Charter." 2d Inst. 46, 3d Inst. 209—"No person "is to be imprisoned, but as the law di-"rects, either by command, or order of a "Court of Record, or by lawful warrant, "by which one may be detained lawfully "to answer the law."

Every oppression under the colour of authority is a kind of destruction; and Magna Charta says, "No man *aliquo modo* "*destruatur.*" Every oppression tends to destruction: but that is the worst oppression which is done under colour of Justice. Edward the 6th incorporated St. Albans with power to make Ordinances: They made a Bye-law with a penalty of imprisonment. This was adjudged void—because contrary to Magna Charta—because "*Nullus liber homo capiatur.*" No freeman shall be imprisoned, &c. On the same account, a Commission under the Great Seal to arrest a notorious Felon, was resolved to be against Magna Charta—because no man shall be brought to answer—not being indicted or appealed by the party or other process of law. By the 2d of Henry 4th it is enacted, "If any man be arrested or imprisoned against the form of the Great Charter that he be brought to his Answer and have right."

These are some of the numerous Provisions for the safety of the people, arising out of the Common and recognized by the Statute Law. These are the glorious Privileges of Englishmen; their imprescriptible, inalienable Liberties; "claimed, "insisted upon and demanded" by the

* See 1 Cobbett's State Trials, No. 26.

Bill of Rights, and sealed and sanctified by the blood of their forefathers:

"At once the pride and safeguard of the land."

Shall these Bulwarks, that have withstood the pelting storms of the Prerogative of the Crown, be sapped and undermined by the creeping Privilege of Parliament? Yet, will this be the case, if the House of Commons be permitted to usurp a Power never pretended to by our most arbitrary kings.—But no! the Laws, Cases, and Authorities, before cited, are positive: They make no reservation of Privilege of Parliament; much less of Power of the House of Commons; but on the contrary, are conclusive against both.

Let us now try, by another touchstone, this Power exercised by the House of Commons.

It is an acknowledged maxim in Law, That there can be no Wrong without a Remedy. When Edward the Fourth asked Chief Justice Markham; If he could not arrest a man? "No," said the honest Chief Justice, "Your Majesty cannot arrest any man even for treason; because the party, if aggrieved, could have no remedy; but if he was arrested by any officer of your Majesty, he could have his action for false imprisonment." This unanswerable argument is equally applicable to the House of Commons.

To whom does it hold itself accountable?

Against whom or what can a party aggrieved bring his action?

Where look for redress?

Here is an argument, which our old lawyers considered as conclusive to any point: as may be seen in all their pleadings. It is the legal, "*reductio ad absurdum*," —a failure of justice, which neither Law nor Reason will endure.

What the Duties, Privileges, and Powers of the House of Commons are, have been already shewn. In contemplating the Constitution of this country, which will appear more admirable, the more closely it is viewed, and the more minutely it is investigated, we should be careful not to confound its parts: to bear in mind that the House of Commons is not the High Court of Parliament—that Parliament consists of three Estates—the King—the Upper—and the Lower House—That each of these has its own peculiar functions, and that no one separately has any power except over its own members. Certainly not to bind the subject. It is universally admitted by all writers upon the science of Government, that the legislative, executive, and judicial powers in a state should be kept distinct; that the monster Despotism is generated by their union; and that Justice and Liberty are promoted and assured by these powers being kept separate and distinct. Accordingly, the Laws of England keep not only the great outlines, but every part of each feature distinct. The great outlines are, The King entrusted with the execution of the laws; yet cannot the King execute any law; but he is bound to delegate his authority to officers of the law. Why?—because, if it were otherwise; if a subject was injured, he could have no redress. There would be a wrong without a remedy; which the law will not endure. The King can do no wrong: that is, the King can do no act, but by the prescribed forms of the law: Somebody or other must, consequently, be answerable for it.—When the Petition of Right was presented to Charles the First, the House of Commons would not accept of the King's Answer, though yielding to their wishes, because it was not couched in the precise and formal phrase of the law: they, therefore addressed the King for a more full, explicit, and satisfactory Answer. Nor were they contented, until the King, coming down to the House of Commons told them, "He had an answer now to give, he was sure would please them;" and accordingly, when they again presented the Petition—he returned the desired Answer in the precise legal form. "*Soit droit fait comme il est desire*," with which they were satisfied.*

As the Legislative is kept distinct from the Executive, so is the Judicial from each and both. An English court of law is an object worthy the contemplation of every mind that delights in Justice. So is every step of constitutional legal proceeding. Is any person accused of having committed an offence, information upon oath must be given before a sworn magistrate, who is authorised to admit him to bail, or commit him to prison according to the nature of the Offence. In which last case, the warrant must clearly set forth the charge, and must have a lawful conclusion; that is, that the party shall be detained to answer the law, or till delivered by due course and process of law. The sworn Information before a sworn magistrate, is transmitted by him to

* 2 Cobbett's Parl. Hist. 409.

the Clerk of the Crown to be put into the form of an Indictment, which is laid before a Grand Jury of 23 equals of the accused, who find, or *ignore*, the bill. In the first case, he is put upon his trial, when, according to the sworn evidence, before given, the witnesses confronted with the accused, twelve men on their oaths ascertain the fact, and the Judge upon his oath determines the law: should the party be acquitted, he can never be troubled again for the same offence, he can plead his *auterfois acquit* from the records of the court; which will be a bar to further proceedings against him. Should he be convicted, he is committed by a warrant in execution, issuing from the lawful authority, to hear and *determine* causes—stating the offence, and concluding, that the party be safely kept, till delivered by due course of law. Should he be molested again on the same charge, he can plead his *auterfois convict*—which stops all further annoyance.

In these wise and cautious proceedings, no one party can take any two successive steps: The Jury ascertains the fact; the Judge applies the law; the Sheriff executes the Sentence. Such is the guarded practice of the law. Yet, notwithstanding all these wise provisions and regulations, does the House of Commons, only one, and the lowest branch of the Legislature, take to itself the functions and powers of the whole Legislative, Executive, and Judicial. Skipping over all intermediate steps, over-leaping all the constitutional boundaries, they jump at once from accusation to punishment—the highest, short of death, that can be inflicted—Imprisonment; and illegal, because indefinite.

The Speaker of the House of Commons will, no doubt, be able to shew an example, which may be erroneously termed a Precedent, of a Warrant similar to that by which Mr. Jones has been committed to Newgate. He will, no doubt, be able to point out the time when such Warrants were issued; but, it must be observed, that it is as strongly marked with the stamp of illegality, as every other part of the proceeding: in fact, it wants every ingredient of a lawful Warrant: it neither issues from lawful authority, nor contains lawful cause, nor has a lawful conclusion. Of this, the case above quoted of the illegal Warrant, under the Great Seal, for the apprehension of the notorious felon; the act of the 2nd of Henry the 4th; 2nd Institute, 46; and 3rd Institute, 209, are in proof. Should any more be wanting, the 1st Roll. Rep. 337, may be added; which says, "If a Warrant of Commitment be for imprisoning a man till further order, *it hath been held ill;* for it should be until the party be delivered by due course of Law."

Having now stated the mode adopted by the House of Commons in asserting its right to avenge itself, for what it is pleased to call a breach of its Privileges, when the authorities which have been adduced are considered with that attention to which they are so eminently intitled, it cannot be thought presumptuous to say, That each and all of these proceedings are contrary to the Common Law, to Magna Charta, the Petition of Right, the Act of Habeas Corpus, the Bill of Rights, the basis of the Revolution, the compact between King and People; the Act of Settlement, the condition by which the King holds his Crown; and the numerous Statutes which have provided for the Liberty of the Subject:—That by so doing, instead of claiming, modestly and necessarily, the *Privilege* of wearing a shield to protect themselves against the prerogative of the crown, or any other annoyance, that may actually obstruct them in the discharge of their duty to and for the People, the House of Commons has assumed the *Power* of using a sword against the Liberties of that people; those Liberties which they are bound, in a peculiar manner, to maintain and defend:—That, by proceeding thus, they have exercised a jurisdiction not vested in them; a jurisdiction beyond the limits of King, Lords, and Commons, whilst Magna Charta remains unrepealed; and repealed it can never be, till England shall have found her grave in the corruption of a House of Commons:—That, by this act, they confound the Legislative, Executive, and Judicial functions; which the Constitution has wisely ordained shall alway be kept separate and distinct.

Being but one and the inferior branch of the Legislature, it has shot beyond its due limits; not a tendril only (an exuberance instantly to be lopped), but pushed forth its arms till they over top the other trees of the forest; rendering all beneath its shade, and within the reach of its influence, noxious and unwholesome.

They have done a Wrong without a Remedy; and have put a subject out of the Protection of the Law, by dooming him to indefinite imprisonment without bail, or mainprize—prevented from his Writ of Habeas

Corpus, and debarred of all redress.—Thus subjecting the Liberties of the People to a capricious Vote and discretionary Resolution of the Lower House of Parliament.

Hitherto this question has been argued on its own merits, from the general principles of the Common Law, and positive provisions of the Statutes, all concurring on the same point, the assurance of the personal Liberty of the Subject, which is not to be restrained but by virtue of a warrant issuing from lawful authority, grounded on an information upon oath.

Of Lawful Warrants there are three sorts:

1st. A Warrant of Apprehension; in which must be recited the deposition upon oath, and which must conclude with an order to bring the offender before some magistrate, "to be further dealt with according to law."

2dly. A Warrant of Commitment; the offence not being bailable, which must set out particularly, the sworn deposition of the informant, and must conclude legally, with a mandate to the jailor to detain his prisoner, "to answer the law."

3dly. A Warrant in Execution after the party has been found guilty, by a Jury of his equals. Which must contain a copy of the record of conviction and of the Judgment; must set out precisely the Sentence to be executed according to Law, and conclude with an injunction to keep the convicted person in safe custody, till he shall be delivered by course of Law: that is, till the expiration of the definite Sentence.

It is now proposed to apply all the Arguments, Cases, and Authorities referred to in the progress of this enquiry, to the case of Mr. Jones individually, from an anxious wish to have the subject considered in every point of view. The practice of the Courts of Law authorized to take cognizance of offences and to inflict punishments, has been traced through every step; it now remains to contrast this legal practice with the proceedings of the House of Commons.

John Gale Jones having (according to the words of the Speaker's Warrant) written and caused to be printed "A certain Paper containing libellous reflections on the character and conduct of the House of Commons, and of some of the members thereof," (viz., Mr. Yorke and Mr. Windham) the former gentleman, not being in the habit, perhaps, of reflecting, that the known laws of his country would give him ample redress if he had sustained any wrong, complained of what he fancifully called a Breach of Privilege, which he as whimsically grounded on the Bill of Rights. Whereupon, Mr. Gale Jones having been brought before the House and acknowledged himself the author, was *adjudged*, according to the Speaker's Warrant, (or rather prejudged) *guilty* of a gross libel, and sentenced to be imprisoned during pleasure.

Let us apply the Rules of the Law and Arguments of the Judges before stated, to the case of Mr. Jones.

1st. The proceedings are upon bare suggestion, contrary to Magna Charta.

2dly. Mr. Jones is called upon to criminate himself, contrary to common sense, and every principle of the law.

3dly. The House of Commons ascertain the fact without Evidence, being incapable of administering an oath.

4thly. They previously determine the guilt without appealing to any law.

5thly. They deliver Judgment without Trial.

6thly. They pass a Sentence of indefinite Imprisonment, contrary to law.

7thly. The Speaker issues a Warrant of Commitment illegal in the gross, and in all its ingredients—no lawful authority—no lawful cause—no lawful conclusion—and wanting that essential stamp of law, a Seal of Office. That the public may exercise its own judgment, however, the Warrant is here set forth.

"*Mercurii*, 21° *die Februarii*, 1810.

"Whereas the House of Commons hath "this day *adjudged*, that John Gale Jones, "having written and caused to be printed "a certain Paper containing *libellous* re- "flections, on the character and conduct "of the said House and of some of the "Members thereof, is thereby *guilty* of a "high breach of the Privileges of the "said House. And, whereas the said "House hath thereupon *ordered*, That the "said John Gale Jones be for his said of- "fence committed to his Majesty's Gaol of "Newgate: These are therefore to re- "quire you, the Keeper of his Majesty's "Gaol of Newgate, to receive into your "custody the body of the said John Gale "Jones, and him safely to keep in your "custody, *during the pleasure* of the said "House; for which this shall be your "sufficient Warrant.—Given under my

" Hand this 21st day of February, 1810.
CHARLES ABBOT, Speaker."
To the Keeper of his Majesty's Guol of Newgate.

Let this Instrument—this thing *sui generis*—be contrasted with the description above given of the properties of a lawful Warrant. Does it not evidently appear, that this piece of unsealed paper signed by the Speaker, by which an untried subject has been outlawed, bears no feature of Legality? And that from the commencement of this proceeding—in its progress and to its conclusion—there is not one step that has not been marked in a peculiar manner with disrespect for the laws—a disrespect in which all the parts have been wonderfully consistent throughout, in constituting the most unlawful act the mind of man can possibly conceive.

Let the case of Mr. Jones now be measured by the Arguments of the Judges before cited: which Arguments were held by the House of Lords as conclusive against its pretensions.

The Judges claimed and insisted upon the benefit of the Common Law, Magna Charta, and Trial by Jury, *for any thing* in which they might have done wrong; not because they were Judges, but because they were commoners of England. They denied and rejected the jurisdiction of the Lords, and assigned their reasons: " Because, in that case, the fact would be " ascertained, and the law would be de- " termined by the same party, and that " if they should be punished by the " Lords, that would not prevent their " being called to answer again in the " Courts of Westminster-hall, where they " could not plead an *autrefois convict*, or " *autrefois acquit*: and so, they might be " punished twice for the same offence."

Let us apply this reasoning to the case before us: It hath been shewn, that the Common Law, Magna Charta, and Trial by Jury have been violated. We find Mr. Jones imprisoned for an act, the illegality of which has not been proved—the facts, not ascertained—nor the law determined. Yet is he now undergoing such a Sentence as hath been shewn. And, as to the other part of the Argument of the Judges: what is to prevent Mr. Yorke from preferring a Bill of Indictment, according to law, against Mr. Jones for this same act: And if we can suppose, that any twelve *lawful* men in England could be had to find a verdict of Guilty, then would he be punished twice for the same offence? He could not prove his former conviction, because he could not produce the record of his former Sentence; because, the House of Commons is no Court of Record, therefore incapable, by law, to furnish a copy of the record; because the law does not allow that House *to try and determine* any cause. To determine is beyond its limits, as hath been shewn: its incapacity is clearly proved by the legal circumscription of its powers.

We will next suppose that a Jury can find no injury to have been sustained by Mr. Yorke, and should return a verdict of Acquittal: then will Mr. Jones have been sentenced to undergo the most severe punishment short of death, that of indefinite imprisonment, by an Order of the House of Commons, for having done an act not proved to be a crime; on the contrary, which will have been determined by a Jury of his equals, not to have been an offence, as in the case of Reeves; with whom the minister dealt more tenderly by giving him, his creature, the benefit of the law; when a Jury contradicted by their legal verdict the predetermined Judgment of the House of Commons; but, if a Jury were to do the same, in the present case, Mr. Jones could have no remedy for the wrong done to him—he cannot bring his action for false imprisonment against Mr. Yorke, nor against the House of Commons, nor the Serjeant at Arms, nor the Sheriffs, nor the Jailor: that is to say, if the Courts of Law should tell him, as they have told others heretofore, that they could not interfere with the House of Commons.

Anxious to have this Case thoroughly considered, and to leave no loop to hang a doubt on as to the true character of the Proceedings of the House of Commons, we will suppose it may be said, that Mr. Yorke took this method, by calling out Breach of Privilege, of punishing Mr. Jones; as the act was not properly cognizable by a Court of Law. To this is to be replied, in the first place, That if an act is not cognizable in a Court of Law, no offence has been committed: because, an Englishman is at liberty to do every thing, not forbidden by the law. But, a fact has occurred, that proves that Mr. Yorke, if aggrieved, had his remedy by due course and process of law: as a legal Bill of Indictment has been preferred by another member of the House of Commons (lord Castlereagh) against Mr. Jones, as the author of a Placard of a similar nature (inviting discussion) and found by

the Grand Jury: And, in the event of Mr. Jones's being convicted by law, there is nothing to prevent lord Castlereagh from complaining of a Breach of Privilege after Mr. Jones has undergone the limited sentence of the law, and getting him sentenced by the House of Commons to unlimited imprisonment for the same offence. Mr. Jones cannot plead his *autrefois convict*, though he may procure the record from the Court of Law where he was convicted. The House of Commons will not receive it; so that he may be punished, once by a Vote of the House of Commons contrary to law, and by Bill of Indictment according to law—and again,—by Bill of Indictment by the law, and by Vote of the House of Commons against all law, all for the same offence, for the legal and probable duration of the life of man.

The Speaker's Warrant (if it can be called by such a name) which has been set out at length, commits Mr. Jones "during the pleasure of the House of "Commons." It has been shewn, that a lawful warrant should issue from lawful authority—should assign lawful cause, and should have a lawful conclusion. A Speaker of the House of Commons is no Legal Magistrate—his Warrant assigns libel—is not libel bailable? But it may be pretended, that the Culprit has been tried and condemned—This is a Warrant in execution.—A Warrant in execution by a Speaker of the House of Commons on a sentence of imprisonment!!! for a month—or six months—or a year—or seven years—or for a day—or an hour!——Let not the people think that this statement is incorrect, because that the facts stated are nearly incredible. The House of Commons, that does not pretend to a right of committing any person for custody, even one hour—yet insist upon and exercise the power of passing a sentence of imprisonment, during the pleasure of the House! Not to be "delivered by due course of law" nor to "answer any law." For what law is he to answer? for what offence committed? Or, is the alledged offence of so heinous a nature as to preclude the supposed offender from bail? By what law can he be delivered? To what law can he appeal? What is the term of his confinement?

"During the *pleasure of the House of Commons.*"

Here is an Englishman outlawed; put out of the protection of the king's law by order of the House of Commons, who are peculiarly bound to protect and defend the Liberty of the Subject.—The House of Commons, which is no court; which cannot fine; which the law forbids to pass any Judgment; which cannot administer an oath; which cannot take any one step according to law, for the best of all reasons, because the law recognizes no such Court, nor allows it any such power, as passing a definitive sentence.

But, it is truly admirable, how consistently the House of Commons has acted throughout the whole of this Case, always measuring its proceedings by the line of its own discretion, instead of the golden meteyard of the Law—a principle, which if once admitted—admitted!! if not reprobated, and resisted, the inevitable consequence will be, the total subversion of all Law and Order. For what makes the distinction between a state of Liberty and a state of Slavery, but being guided and protected by known laws common to all, or being subject to variable, arbitrary, and uncertain discretion. "*Misera servitus est, ubi jus est vagum, aut incognitum.*" Wretched is the Slavery of him who lives under uncertain laws!

If the Judges of the Laws of England in the days of lord Holt, thought so justly, and acted so firmly and decidedly in their case, so have we witnessed in our time, how acutely a learned Judge of the Civil Law, sir William Scott, can feel, when even a presumed injurious suspicion is thrown out, though no punishment has been inflicted upon him without trial or a fair defence. And here it is impossible to avoid remarking, how tender-skinned some men are upon being touched themselves! how susceptible their feelings! how tremblingly alive to the slightest annoyance! The learned Civilian felt nothing for poor Jones, sent to jail without trial, without an opportunity of making his defence. His own words will best express his feelings on the occasion alluded to, which was on a charge brought forward in the House of Commons by lord Cochrane, my most worthy colleague, against the Court where the learned Civilian presides; when he said:

"That the accusation was brought for-
"ward against the Court where he pre-
"sided, when there was no possibility of
"a defence, and thus allowed to impend
"for many months over the head of the
"court, which could not demand its trial,
"and of course could not ward off a most
"painful and depreciating suspicion; this

"was a mode of proceeding which could "not be sufficiently deprecated, nor too "severely reproved. It was placing a "man in the situation of a supposed cul- "prit, in whom every guilt was likely to "be presumed, and from whose society "every innocent man was ready to fly, "abandoned by society, cut off, and in a "manner excommunicated, he might in "the end appear completely guiltless, and "prove by his acquittal, that his only mis- "fortune was not being allowed, in time, "an opportunity of defence. Notwith- "standing the cruelty of this, many men "were to be found anxious to bring for- "ward an unfounded accusation, and the "world, in general, was but too prone to "its reception. He deplored the custom, "and deprecated its continuance; and he "did so the more earnestly, feeling acute- "ly its injustice in his own case."—And, in these feelings the House of Commons sympathized.

He complains in the style of the Civil Law of being excommunicated. Mr. Jones remonstrates in the language of the Law of England against being outlawed, without having been found legally guilty of any crime.

The Roman Satirist, when lashing the vices of a corrupt country, particularly upbraids the absence of feeling, generally, exhibited for the sufferings of small men in humble stations. The poor man may lose his goods and all his effects. Should his house be burned to the ground, no one troubles himself about it. But, if misfortune touches the great, then, all partake of the general sorrow:

"Magna Arturii cecidit domus, &c.
"Tunc gemimus casus urbis; tunc odimus ignem."

Poor Codrus excites no sympathy:

"But if the palace of Arturius burn,
The nobles change their clothes, the matrons mourn;
The City Prætor will no pleadings hear;
The very name of fire, we hate and fear;
And look aghast, as if the Gauls were here."

From the conviction on my mind of the justness of the sentiments here expressed by the Learned Judge; and from as well weighed and fully digested an opinion as my researches enabled me to make, and my reason instructed me to form, I proposed in the House of Commons: "That Mr. Gale Jones should be then discharged."

In opposition to these arguments, it was, in the first place, relied on, That this power of Commitment had been exercised for three hundred years. In support of which assertion, only two instances were adduced. One of Ferrars, a member and servant to the king, before cited; and one Mornington, who beat Mr. Johnson a member, and pleaded ignorance of his being a member of the House of Commons*. But of what importance are these two Cases? For their own acts, were they ever so numerous, can never be admitted as Precedents to establish their own claims. Sir Thomas Bromley, Chancellor in the reign of Elizabeth, denied that their own acts could be cited as Precedents, when they were insisted on by a Committee of the House as proofs in support of their claim to a privilege of not being liable to be supœnaed in Chancery. Sir Thomas Bromley said, that unless those precedents had been confirmed by the Court of Chancery, they were of no avail;† and all Lawyers know that a legal precedent is established by a decision of all the Judges, on an Argument at Bar. Nothing can be more mischievous or more calculated to mislead, than to use legal terms in a popular sense; and though the word Precedent in popular language means any thing that went before; yet, in a strict legal sense it means a Decision upon Argument, one of which is worth a thousand without.

From Custom or Usage such a claim never can be set up; for a custom to obtain must be reasonable in itself; must have been used from time immemorial; must be *pro bono publico*—not contrary to law, and never contested.

From Common Law it cannot be derived; because at common law, a man could not be imprisoned in any case, unless for force or violence—for which his body was subject to imprisonment, as one of the highest executions of the law. And, that it is forbidden by all the Statutes, it is to be hoped has been sufficiently proved. Therefore, unless it can be shewn, that an Order of the House of Commons can contravene all these Authorities, there can be no pretence on which this usurpation can be maintained. And to talk of the Law of Parliament as contradistinguished from and contradictory to the Acts of Parliament!—It is a phantom fitter to be entertained by the fancy of a Bedlamite than by a Lawgiver.

Notwithstanding the care that has been taken in the progress of this enquiry

* 1 *Hatsell*, 53. 74.
† *Ibid* 96.

to keep legal words from being used in a popular sense, and to prevent a confusion of ideas arising therefrom, it will be necessary in this case to adopt the mode which has been invariably pursued, and to define correctly the legal meaning of the term about to be discussed. For, by not attending sufficiently to this distinction, much embarrassment was created during the former discussion of this subject in the House of Commons: few persons having been able to keep sufficiently separate, things, in their nature so essentially different, as the power of commitment for a legal Contempt, (or abatement of a Nuisance), and the passing of a Sentence of Imprisonment as a punishment for an offence.

Every one knows that in popular phrase a man is said to shew contempt for another if he turn upon his heel and do not answer a salute: but, in a legal sense, Contempt has one meaning, and one only—that is, obstruction to the proceedings of a Court, which every Court is necessarily competent to remove. "Contempt is a disobedience to the rules and orders of a Court. One may be punished for a contempt in Court, but not out, or a private abuse."* Whether the Case of the Incorporation of St. Albans, which has been accurately stated, and the Arguments of the Judges in Bridgeman *versus* Holt are or are not applicable to the case before us, must be left to the candid consideration of the Reader.—It is necessary to observe, that I lay no stress upon the *authority* of the Judges merely as such, recollecting full well the many Opinions of Judges contrary to the Law of the Land and subversive of the Liberty of the Subject. In the case of Ship Money, the Judges determined, that the King had a right to levy taxes without consent of the Representatives of the People. In the famous Case of the Habeas Corpus, in the King's Bench, afterwards reversed, the Judges determined, that when the King committed, the Subject could have no relief. When Charles the First imprisoned Members of Parliament for their parliamentary conduct, the Judges determined, that the Act of the fourth of Henry the Eighth was a private Act, tho' made expressly to prevent members from being questioned, in consequence of Mr. Stroud having been questioned in the Court of Stannaries, and fined and imprisoned by that Court, on account of a Bill he had introduced into the House of Commons for regulating the Tinners in Cornwall. Therefore, it is not upon the authority, but upon the weight of the arguments above cited, and honest arguments they were, of unfeed Counsel in their own cause, that we rely.

As for Modern Decisions of such men as De Gray, Mansfield, or Kenyon, they will hardly be worth quoting on either side of the question; and, for an illustration of the conduct of the last mentioned Judge upon this great constitutional question, I beg leave to refer the Reader to the Case of Benjamin Flower, and to the able Argument of Mr. Clifford in that case; to which Argument I embrace this opportunity of acknowledging myself greatly indebted; and so, in my opinion, are the public at large.

In pursuing this Argument, the Reader should carefully keep in mind the marked distinction there is between Privilege and Power. No Privilege of the House of Commons is here denied. But, it may be asked, Upon what ground or pretence they assume a Power to punish? Since they have taken upon themselves to exercise this Power, it is fair to call upon them to shew how they came by it, and when they first claimed it.*

The commencement of this Usurpation was when they got rid of the Upper House

* See Crook, Eliz. 649.

* Sir Robert Walpole seems to have entertained the same sentiments, as appears from his Speech in the House of Commons, in the Case of Sir Richard Steele, in 1714: "Why, said he, should "the author be answerable in parliament "for the things which he wrote in his pri- "vate capacity? And if he is punishable "by law, why is he not left to the law? "By this mode of proceeding, parliament, "which used to be the scourge only of "evil ministers, is made by ministers the "scourge of the subject. In former reigns, "the audacity of corruption extended it- "self only to judges and juries; the at- "tempt so to degrade parliament was, till "the present period, unheard of. The "Liberty of the Press is unrestrained; "how then shall a part of the legislature "dare to punish that as a crime which is "not declared to be so by any law, "framed by the whole! And why should "that House be made the instrument of "such a detestable purpose." See Coxe's Walpole, vol. 1, p. 73. See also 6 Cobbett's Parl. Hist. 1269.

of Parliament, and cut off the head of the King. They still, it seems, are emboldened to retain an illegal power not pretended to even by the King. But which these local sovereigns over the King, claim as of right. But no wonder, when they have so entirely departed from the ends of their institution—as was offered to be proved by Mr. Madocks, and acknowledged by themselves, in the never-to-be-forgotten morning of the 11th of May, one thousand eight hundred and nine; when, from being the Lower or Inferior (for it is the same sense, one being an English, the other a Latin word), Branch of the Legislature, they have become the proprietors, by burgage tenure, of the whole Representation; and, in that capacity, inflated with their high blown fanciful ideas of majesty, and tricked out in the trappings of royalty, think Privilege and Protection beneath their dignity, assume the Sword of Prerogative, and lord it equally over the King and the People.*

But, in order that nothing may be wanting, to render truly ludicrous every part of this proceeding, which, inverting the laws of the drama, as well as all other laws, begins with a Farce and ends with a Tragedy, the House of Commons imprison Mr. Jones—under the sanction of what law think ye?—The Bill of Rights!!!—Well might Paine call it the Bill of Wrongs; if it could be thus converted into an instrument to oppress and to destroy the Liberties of the People, those Liberties which it was expressly framed, claimed, demanded and insisted upon to protect.

Mr. Yorke has discovered a new meaning in the Bill of Rights; and, because the Bill of Rights declares, That a member of parliament cannot be questioned any where out of parliament for words spoken therein, he has sapiently concluded, That the People are prohibited from exercising their understanding, for the purpose of discussing or censuring the conduct of the Gentlemen who sit in that House. These Gentlemen all concurred with him in the Sentence passed on Mr. Jones; though no one agreed with him in his new interpretation of the word "Question," in the Bill of Rights—knowing, as they did, that "questioned," legally, means accused before a tribunal competent to punish; and that the power intended to be counteracted was the King's Prerogative and the arbitrary proceedings of the Court of Star Chamber, which were in the constant habit of questioning and punishing Members, for their conduct in the House, as in the Case of Mr. Strode before mentioned, and of Strickland, Sir John Eliot, Col. Churchill, Holles, Valentine, and many others. And, surely, that cannot be deemed a Privilege of Parliament which is incompatible with the Rights of the People: as the Lords resolved in the Case of Ashby and White: "That declaring Ashby guilty of a Breach of Privilege of the House of Commons is an unprecedented attempt upon the jurisdiction of parliament; and is, in effect, to subject the law of England to the Votes of the House of Commons"*—And how much more so is this act of imprisoning Mr. Jones!

But the House, it seems, thinks that its *dignity* is concerned in continuing Mr. Jones in prison. That dignity should consist in punishing is a novel idea. The dignity of any man or body of men is best maintained by their doing their duty, according to their several stations. If dignity consisted in punishing, then would Jack Ketch be the most dignified man in the land.† But the Commons do

---

* Upon this memorable Debate, Mr. Ponsonby, Lord Chancellor of Ireland, under the Whig Administration, observed, "That he could not consent to proceed "against individuals, because that had "been proved to exist, which had long "been as notorious as the Sun at noon-"day; namely, the Sale of Seats in that "House." See Cobbett's Debates, vol. xiv. p. 519.

And in a Committee of the whole House, on the 1st of June last, upon Mr. Curwen's Reform Bill, the Speaker made use of these expressions: "The question now "before us, is no less than this: Whether "the Seats in this House shall be hence-"forth publicly saleable?—A proposition, "at the sound of which, our ancestors "would have startled with indignation; "but a practice, which, in these days, "and within these walls, in utter oblivion "of every former maxim and feeling of "Parliament, has been avowed and justi-"fied." See p. 837 of the same Volume.

* 6 Cobbett's Parl. Hist. 431.

† Lord Clarendon observes, "That the damage and mischief cannot be expressed, that the Crown and State sustained by the deserved reproach and infamy that attended the Judges by being made use of

not sit in that House for their dignity, but as Servants of the People; not to exercise Prerogative and Power over them, but to inspect and controul the Public Accounts, to protect Liberty and Property; to complain of exorbitances of Power in any quarter; and to maintain the Laws of the Land. They are the last persons who ought to set an example of encroachment. If they become destroyers of the Liberties of the People, in them, oppression is combined with treachery: they destroy where they are bound to protect. Every reason is as strong against such an act, from them towards the People, as it was against Macbeth in the murder of Duncan.

" He is here in double trust,
" First as I am his subject and his kinsman—
" Both strong against the deed—then as his host
" Who should against his murderer shut the door,
" Not bear the knife myself."

HAVING now arrived at a conclusion of the Argument upon this most interesting and important case, one cannot, in taking leave of the subject; in reviewing the whole of the proceeding complained of; in beholding an assembly whose sole business it is to make laws, and to watch over the due execution of the laws already made; one cannot, with such impressions in one's mind, help entertaining a fear, that the Gentlemen of the House of Commons, may, in time, unless they revert to the Great Principles of the Constitution, be in danger of incurring the sentence of St. Paul upon the insolent and tyrannical High Priest, who had commanded him to be stricken for opening his mouth in his own defence:—" God " shall smite thee, thou whited wall: For " sittest thou to judge me after the Law, " and commandest me to be smitten con- " trary to the Law?"

---

in this and like acts of power, there being no possibility to preserve the dignity, reverence, and estimation of the laws themselves, but by the integrity and innocency of the Judges."

CAPT. WARWICK LAKE.

(Continued from page 416.)

At the place, here referred to, I ended with the SENTENCE upon LAKE. The following Documents were omitted for want of room.——The 1st is a Letter from Lake to the Admiralty, in answer to a letter, written by them to him for an *explanation* relative to the act reported by MR. THOMAS.——The 2d is an *Opinion* of Mr. Bicknell, upon which I shall, hereafter, offer *my opinion*.——The 3rd is a Report from the Court of Inquiry.——The 4th is a Letter from the Admiralty to the members of the Court-martial, covering a Letter from Admiral Sir Alex. Cochrane, and, as to the *view* with which such letter was *so produced*, we shall, hereafter, have reason to remark.——The 5th is this Letter of Admiral Cochrane, and a most curious letter it is. Mark the words of it which I have put in *Italics*. But, it shall come before the public again and again, 'till every soul in England has read it.——The 6th is a Letter *to character*, signed by some people on board of Lake's ship, the Ulysses, and, in this letter, I beg the reader to mark well the words in the *parenthesis*——But, above all things, I beg the reader's attention to the letter of Admiral Cochrane; to the *language* of that letter; and to some of its *assertions*, too. ——I want little more than this letter to enable me to judge of the writer of it.—— Reader, pray mark his *words* and his *manner*. Mark, too, his assertion, that Sombrero is *close* to Anguilla.

Letter from Capt. W. Lake to Mr. W. W. Pole, dated, Ulysses, at the Nore, 3 July, 1809.

SIR;—In reply to your Letter of the 6th ult. directing me to explain, for the information of my Lords Commissioners of the Admiralty, a charge exhibited against me by Charles Morgan Thomas, late Purser of His Majesty's Ship Demerary, of having set a man on shore upon an uninhabited island, when I had command of the Recruit; and also to state what I know respecting Mr. Thomas; I beg leave to acquaint you, that a man was set on shore upon the island of Sombrero, who was a most infamous character, but that he is not dead, as represented by Mr. Thomas, he having been taken off by an American vessel a few days afterwards and conveyed to America, where he now lives. I called at the said island on my return to Barbadoes, for the purpose of again taking the man on board the Recruit, but he was not there; and when I arrived at Barbadoes I found, by an American Newspaper, a statement of the man having been taken off the island in ques-

tion, and landed in America.—With respect to Mr. Charles Morgan Thomas, I beg leave to state, that I never saw him; but on enquiry into his character, I am told by the Captains with whom he has sailed, that on account of his improper conduct, he has been obliged to quit two ships, and that he is now serving before the mast in His Majesty's Ship Neptune.

Extract of a Letter from Mr. Bicknell, to the Honourable W. W. Pole;—dated 12th July, 1809.

I am humbly of opinion, that Capt. Lake's conduct was illegal, however infamous that of the man might have been, and for which he might have deserved punishment; and that he is amenable to the party injured, either in a criminal prosecution, or in a civil action for damages, or to a Court Martial, (if their Lordships should think fit to order one) for having been guilty of the offences described in the 33d Article, in the Act of the 22d George III. chap. 33; and also for a breach of the 13th Article of the Printed Instructions, under the head "Captain."

Proceedings of the Court of Inquiry.

Pursuant to an Order from Sir Roger Curtis, bart. Admiral of the White, &c. &c. &c. of the 8th instant.—We, the undesigned, have been on board His Majesty's Sloop Recruit, and carefully investigated the circumstances of landing Robert Jeffery, seaman of the said sloop, on the 13th Dec. 1807, on the island of Sombrero; and it appears, by the Complete book of the Recruit, that Robert Jeffery, ordinary seaman, run on the 13th Dec. 1807, at the island of Sombrero. And, by the Recruit's Log, it appears, that on Dec. 13th, 1807, at 6 P. M. the said Robert Jeffery was landed on the island of Sombrero, by a boat of the Recruit.—By the declaration of the following Petty Officers, viz. Mr. Joseph Elvy, Clerk, Tho. Jenkins Serjeant of Marines, Joseph Matt, Captain of the Forecastle, John Pearson, Quartermaster, and Francisco Vala, one of the boat's crew at the time; that the said Robert Jeffery, having broached a cask of spruce beer, on the 13th Dec. 1807, for the use of the ship's company; that on the evening of that day, by order of the Hon. Capt. Lake, landed by Lieutenant R. C. Mould, without provisions, or other clothing than those he wore at the time.—The said Petty Officers further state, that Lieut. Mould gave him a handkerchief, to make a signal to any vessel that might pass the island; and that the boat's crew gave him a knife and a pair of shoes; and by the Log it appears, that the Recruit did not return to the island of Sombrero until the 11th of February 1808, when a boat was sent on shore, but neither Robert Jeffery, or any part of his apparel, was found. Francisco Vala states, that Robert Jeffery was left in tears, and very desirous of returning in the boat when put on shore on the island of Sombrero.—Mr. H. G. Windsor, present Purser of His Majesty's Sloop Recruit, has given us the enclosed; stating what he heard, soon after the time above alluded to, from the Master and other Officers of the Recruit at that time; which, with the above Declaration of the Petty Officers, we enclose for their Lordship's information.—Given under our hands, on board His Majesty's Sloop Recruit, in Portsmouth Harbour, this 9th Dec. 1809. —*Rd. Lee,—Wm. Bedford,—J. E. Douglas.*

Mr. H. G. Windsor's Statement.

Being directed to give what information I could on the subject of a seaman's having been landed on the island of Sombrero, from on board His Majesty's Sloop Recruit, previous to my having joined her as Purser, I have to state, that on entering a member of the Gun-room Mess, I heard it frequently said by the then officers, that a man had been landed on the island of Sombrero, by order of Captain Lake to Lieut. R. C. Mould, as a punishment for having stole some spruce beer; that at the time he was landed, as well as at the time it was spoken of, it was considered a very cruel act, and contrary to the sentiments of all those who spoke of it, or saw it done. I heard Mr. Edward Spencer, the then Master of the Recruit, say, the man was landed on the evening of a day; and that on the following morning the island was so near, that a boat might have been conveniently sent to have the man brought off; and that either he or the officer of the morning watch (I do not recollect which) reported to Capt. Lake the situation of the island, with a view to bring to his recollection the circumstances of his having landed the man on the evening before, and with a hope of inducing Captain Lake to send for him again; that on being disappointed in that hope, they feared the man must fall a victim to famine, or a prey to the wild birds, which were very large and numerous there, should he not

previously be taken off by some vessel passing the island. I have likewise heard it said among the different officers, in conversation, that a pair of shoes and a handkerchief had been given him as a relief, on the time of his landing; and that his feet were wounded by the sharp rocks, before he reached the top of the island, which was very rocky and desolate; and that some time after, the Recruit being ordered to return to the island, to search for the man, did so, but that the officer ordered on that duty, could find no person on the island, nor any thing to induce a supposition that he had been killed, excepting the remains of a pair of trowsers, which they did not know to be his. The circumstance of the man's having been landed, was considered very cruel by all the officers, and when publicly spoke of, was thought an act of oppression.—Dated on board the Recruit, this 9th December 1809.—*H. G. Windsor,* Purser.

P. S. I joined the Recruit, as Purser, on the 15th June 1809. Address of Mr. Edward Spencer, former Master, now at No. 13, Swan Street, Bethnal Green, London.—9th Dec. 1809.—*H. G. Windsor.*

Letter from the Admiralty Office (signed JOHN BARROW) *to Adm. Sir R. Curtis at Portsmouth; dated 10th Jan.* 1810.

SIR;—I am commanded by my Lords Commissioners of the Admiralty, to send you the enclosed Letter from Vice Admiral Sir Alexander Cochrane, to be laid before the Members of the Court Martial to be assembled for the trial of the Hon. Capt. Warwick Lake of the Ulysses.

Letter from Sir Alex. Cochrane, to Mr. W. W. Pole, dated, Pompée, Halifax Harbour, 1st Nov. 1809.

SIR;—I have received Mr. Barrow's Letter of the 14th July, enclosing an extract of one from the late Purser of the Demerary, containing a charge against Capt. the Hon. Warwick Lake, for having set a man on shore upon an uninhabited island; together with Capt. Lake's report, and Mr. Bicknell's opinion of the affair; and signifying to me the direction of the Lords Commissioners of the Admiralty, to make a strict investigation into the case.—I was *well aware* of the *irregularity* of the proceeding, at the time it occurred, and when it was reported to me, I immediately sent Capt. Lake back to the island, to take the man off, but he was *already gone;* and having *heard,* soon after, of the circumstance being *reported* in an American paper, and of the man's arrival there, which *assured* me of his safety, I consented, after seriously admonishing Capt. Lake, to *let the business rest;* but should their Lordships still deem it proper to order him to be tried by a Court Martial for his conduct, there are many persons in the Recruit, who, no doubt, can prove the circumstance of the man's being set on shore; *though* the situation of the island of Sombrero *is close to Anguilla,* and in the track where vessels are *constantly* passing and re-passing.

Letter from Persons on board the Ulysses, to Capt. Lake, at Spithead, 5th Feb. 1810.

SIR;—We the undersigned Officers belonging to His Majesty's Ship Ulysses (aware of the situation in which you are now placed, and considering that your reputation may suffer from the nature of the Charge alledged against you, about to become the subject of investigation) impressed with a just sense of what we have seen and experienced since we have served under your command, deem it incumbent upon us respectfully to express, that in our opinion your general conduct has been particularly marked by kindness and humanity, in every respect becoming the character of a British Officer, anxious for the welfare, comfort, and happiness *(where misrepresentation did not exist)* of those placed under your command; and further, that we have reason to conclude any thing like preconcerted or deliberate cruelty or oppression totally foreign to your natural disposition.—Could what we have already declared be of any service to you in the present unpleasant circumstance, which we are ready and willing to substantiate to the world, it will afford us the most sincere and heart-felt satisfaction.—We are confident, that those to whom we are known will readily acquit our conduct, on this occasion, of any thing pertaining to flattery or insincerity.—We have the honour to be, Sir,—With respect, your faithful Servants,—*Geo. Robinson,* Lieutenant.—*Jno. J. Crout,* Master.—*John Thompson,* Surgeon.—*John Marsh Luett,* Purser.—*A. Campbell,* 1st Lieut. R. M.

Trial of Mr. PERRY, *and Mr.* LAMBERT, *for a* LIBEL, *continued from p.* 384.

- - - - - - - - In all that time, the present is the second instance in which we have had a trial in this or any Court on

any charge of a criminal nature. And when you consider the *anomaly* that belongs to the avocation—that we are to be judged by a severer criterion than any other species of misdemeanor is subject to —that *we* are made answerable for the criminal acts of others—that it is a profession (if I may be allowed to call it by that term—I know that I have acted liberally in it) which requires daily and incessant toil—to be performed at an unseasonable hour of the night, after the fatigues and exhaustion of the day, sometimes after the indulgences which man in society may be occasionally permitted —a profession subject to the arts which are too frequently practised to ensnare us in an unwary moment, or to beguile our vigilance—to partialities that may mislead the honest judgment, and to temptations that human frailty may feel it difficult to resist—it will be allowed that honesty, that vigilance, that respect for morals must have been exemplary, which have so effectually secured us against the imputation of guilt.

Sixteen years ago, Gentlemen of the Jury, we were charged in this Court with a libel on the King's Government, by the publication of an address from the town of Derby. It was conducted by the Noble and Learned Lord who is now the Lord Chancellor of England. He did not lay the information himself, but he found it in his office, and felt it to be his duty to bring it on. The disorder of the times had given a most serious alarm, not to Government only, but had distracted and divided the greatest political parties in the realm. It is not only painful, Gentlemen, but disgusting to speak of ourselves, and nothing but the peril in which we stand here this day can justify my own feelings, to the breach of taste which I commit by a reference to the testimony borne by the two Noble and Learned Lords, Lord Eldon, who was the prosecutor, and Lord Erskine, who defended us, to our reputation at that time. Gentlemen, I will not trust my memory with the words, but will presume to read them from the authentic document taken in short hand at the time, and which was published in the form in which I now hold it in my hand.

[Lord Ellenborough here begged Mr. Perry to stop; and, in a short address to the Jury, he said that he had his doubts whether, in a criminal prosecution of this kind, a Defendant could refer to the documents and evidences of the former part of his life, as proofs by which his mind and intention in any subsequent act could be deduced. He knew that in cases of libel, as well indeed as in other cases even more serious, this sort of reference to anterior testimony had been claimed and allowed; but he confessed he had his doubts as to the propriety of such allowance. On the trial of Mr. Horne Tooke, for instance, on a charge of treason, he had claimed this right, and it had been granted by the Judges who tried that indictment; but he was not prepared to say that he was of the same mind; though, of course, it was not necessary for him to say more than that if ever the case should come before him, it would become seriously his duty to consider whether such proof could be admitted. In the present case, Mr. Perry proposed only, he supposed, to read a passage or two from the report of the trial. If he meant to put it in as evidence, he thought it could not be admitted; but it was competent to Mr. Perry to allude to the declarations of those Noble and Learned Lords, and he would of course have all the benefit of the allusion.]

Mr. Perry thanked his Lordship.—Gentlemen, I meant only to state to you in their own words, what I shall now only mention to you in substance. Lord Eldon said, that considering every individual as under his peculiar protection, he felt it to be his duty to acknowledge, that in no one instance before that time had we been brought to the bar of any Court to answer for any offence, either against Government or a private individual. And from all he had ever heard of the Defendants, he believed us to be men incapable of wilfully publishing any slander on individuals, or of prostituting our paper to defamation or indecency. This was the declaration of Lord Eldon, the prosecutor. Gentlemen, on that day we had the great and distinguished advantage of being defended by that noble and illustrious Lawyer, who upon every occasion identified himself with his Client; who became as it were the brother of his blood, nay, the protecting parent to a child in danger, whose exertions in its rescue neither sword, nor fire, nor the waters could repel. The warmth and vigour, and integrity of whose soul struck to the hearts of Jurors the conviction by which he was himself so visibly penetrated, and in whom the eloquence of the advocate was rendered irresistible by the

fervor of the friend. That Noble Lord spoke of us upon that occasion, in terms, which it is impossible for me to repeat, but which have planted indelible gratitude in our hearts.

What we were then we are now. We never stood upon the floor of this or any other Court of Justice to receive its judgment, either for a public libel or a private calumny.

For myself I can say, that the impressions first made on my mind when a youth, and when I first entered the gallery of the House of Commons, by that great *Orator of Reason* (Mr. Fox) fixed my principles, and have given consistency to my life. I have never been treacherous to my first professions, nor indolent in carrying them into practice. I have never been violent in my language, but I am sure it will not be said of me that I have ever been equivocal. I never became the advocate of any cause but that which I thought honest, and never embarked in any cause for money. I have been ever found steady to the maintenance of freedom, to the cultivation of the human mind, to the preservation of morals, and to the true interests of my King and Country. Having espoused the doctrines, upon conviction, of that party, the ancestors of whom placed the illustrious family of Brunswick upon the Throne of these Kingdoms, I have acted upon their maxims, without having any other interest in their success than that which must spring to me in common with that of my fellow citizens, by perpetuating the blessings we enjoy. And by acting in the middle path, which the Whigs of England have ever pursued, it has been my lot to be equally assailed and vilified by the extremes of both sides.

For my faithful friend, Mr. Lambert, I can with equal sincerity say, that in his more sedentary department of my concern he is equally above reproach. I defy all mankind to say of him that he could ever be diverted or seduced from the faithful discharge of his duty to the public and to me, or that any temptation could ever make him wilfully to insert an article in *The Morning Chronicle* that ought to be left out, or omit an article that ought to be made known.

Gentlemen of the Jury, I have done. I have only to thank the Noble Lord on the Bench and yourselves for the kind indulgence which you have shewn to me in a situation so new, and to which I am so unequal. I will add but one word more. The obloquy to which the humble but not unuseful profession of a journalist has been of late so unadvisedly subjected, was a powerful inducement to my mind to appear before you in person this day; that I might bear my testimony, if it can be of any weight, to the injustice of the censure. Indiscriminate censure must always be unjust—it is unworthy of enlightened men to throw out, and in this instance it would be very unwise in Englishmen to cherish. I am sure that its influence will not penetrate these walls this day. I feel conscious that the imputation does not attach to my faithful friend nor to me; and I am sure that both the Learned Lord and yourselves are too noble and too upright in your minds to suffer it to approach you.

Gentlemen, the cause of the Liberty of the Press in England, under the direction of the Noble and Learned Judge, is in your hands this day. *The Morning Chronicle* stands now, as it did in 1793, in the front of the battle, not only for itself but for the liberty of the press of England. The point at issue is—whether it shall continue to assert the principles upon which the Whigs have ever acted; and by which their only object is to perpetuate to his Majesty and his heirs, the Throne to which they persuaded the people of England to call his ancestors, by securing it upon that basis, which forms not only its strength, but its lustre, and which I find truly described in a recent column of my own paper. "Nothing on earth ever "equalled the magnificent and richly-"ornamented power and greatness of the "kingly office in the Constitution of Eng-"land, when exerted in due harmony with "the influence and authority of the two "Houses of Parliament in unison with the "public voice. The boasted unity and "vigour of despotism is impotence com-"pared with the concentrated energy of "such a Government."—May it be perpetual!

The Attorney General, in reply, said, the Gentleman who had now addressed the Jury in his own defence, had stated, that many years ago, when a Noble Friend of his filled with so much credit the situation it was now his honour to hold, that Noble Lord had passed an eulogy on the Defendant, and his paper. He had no knowledge of what passed on that occasion, but he gave the Defendant full credit for the correctness of what he had stated. The Defendant seemed, from his gesture, to be sensible of the acknowledgment he

had made him, but he assured him that was very far short of the credit in other respects, which he would willingly give to the Defendant. In whatever situation he should stand placed, he should be happy to give to every one that credit which was due to them; and however much it might surpass the expectations of the Defendant, he should not find him (the Attorney-General) less desirous of doing him justice than the Noble Lord had done. Persons who defended themselves were often brought into circumstances of great peril; but that was not the case in the present instance. The Defendant had lamented the absence of a Learned Lord, a friend of theirs, of whose assistance he had formerly availed himself in that Court. He should also regret the removal of that Learned Lord, had he not been called to fill a higher station. With the eulogium passed on that Learned Person by the Defendant, he (the Attorney General), and all who had witnessed his conduct in that Court must agree. But the Defendant certainly had not suffered by the absence of that Learned Lord, or of any advocate whatever. He had done himself ample justice, and had proved himself fully equal to the task he had assumed. Though a Defendant who pleaded his own cause was subject to inconveniences, there were also advantages which arose from the same circumstance, and there were irregularities which might be committed by persons in that situation, which it would not be worthy in counsel who opposed them to endeavour to correct. The Defendant had admitted that he (the Attorney-General) had conceded to him as much of the Liberty of the Press as he wished to contend for. He surely did concede to the Defendant the full and free discussion of public measures. But, he thought, that when the Defendant had indulged in such liberal abuse of all those who filled high situations in the State, he had exceeded the bounds which would have been allowed to a Counsel.

Lord Ellenborough could not say that the Defendant had been indulged in any observations which would not have been permitted to an Advocate.—If the Attorney-General had called the attention of the Court to any thing irrelevant which the Defendant was advancing, a check would have been put to it. But in the heat of argument, in such cases as the present, matter might have fallen even from a Counsel, not strictly applicable to the case, but which the Court might not feel itself called on to check. Interruptions of the kind tended to derange the ideas of the speaker, and this must be still more applicable to a person not accustomed to address a Jury.

The Attorney-General said, if his Lordship had only heard him two sentences farther, he would not have interrupted him. He never meant that it was the duty of his Lordship to have interrupted the Defendant. All he meant to say was, that the Defendant possessed advantages from the circumstance of pleading his own cause; that he had taken a degree of licence not justifiable; and that, because he was, as to them, a layman, if he might be allowed the expression, he (the Attorney-General) had not interposed. He saw what it would lead to—that he must hear the abuse the Defendant bestowed with so great liberty; but that it would be unworthy in him to enter into the contest. It might have been the duty of the Attorney-General to defend those persons whom the Defendant had so liberally attacked; but considering the situation in which the Defendant stood, he (the Attorney-General) determined not to go out of his way; and as the Defendant was not accustomed to proceedings of this kind, to allow him to go as far as he chose. He thought the Defendant at one time was feeling his way, to ascertain how far he might proceed. He was stating what had appeared in another paper of which he (the Attorney-General) knew nothing. In doing so the Defendant threw out a doubt if he was not exceeding the line of propriety. He found that he was, but not till he had named the paper, having previously spoken of it in terms of more than reprobation, and scandalous as to the author of the article to which he alluded. In the most adroit and skilful manner the Defendant did refer, wishing to know if he was going too far. The Attorney General did think that in naming the paper, the Defendant did go farther than any advocate would have been permitted, and he did accordingly suggest that there were limits to the licence he was taking. The Defendant, however, had gained his point; and he had shewn greater skill in managing it than any man he had ever met with. The mode in which the Defendant had introduced himself to the Jury was well calculated to interest them in his favour. A well-affected simplicity, want of knowledge in the forms of proceeding, inability to do justice to his

defence, joined to colourable reasons for not placing it in the hands of others, were well selected by the Defendant for this purpose; and having in this manner interested the Jury in his favour, he had been seen to bring to his aid talents which did not fall to the common lot of man. These were the advantages which the Defendant had gained by himself pleading his cause to day (and more consummate address he never witnessed) but, yet, they would not avail him. As far as the sentiments of the Defendant in his speech this day, or as they appeared in other parts of his paper, could go to an alleviation of his offence in publishing the libel in question, so far let his guilt be alleviated. He was happy to find that the same man in the year 1810, was not so unlike the person Lord Eldon had found him to be in the year 1793, as from the paragraph in question he must have conceived him to be. The Defendant wished that the Jury could look into his mind, and see what passed there. If the Court who were to pass sentence on the Defendants could do so, it would be fit that they should be governed by what they saw passing there: But what the Jury were here to try was, if a paragraph, stating that certain blessings were to be attained by the people of this country, but that the period of their attainment was not within the life of the reigning Sovereign, but on the accession of his Successor, and consequently that the period of the reign of the present Sovereign must be interposed before they could be attained, was or was not a libel. If such was the meaning of the paragraph, was there any man so besotted as to deny that the tendency of it could only be to alienate the affections of the people from the reigning Sovereign, and to teach them to look forward to the æra of his dissolution as the period at which those blessings were to be enjoyed. This, he must contend, was the fair inference to be drawn from the publication in question, notwithstanding the eloquence which had been displayed by the Defendant in giving it a different interpretation. Though he had attended, to the utmost of his power, to the address the Defendant had made, he could not comprehend any part of it as going to the real question What was the meaning which the paragraph carried along with it in sound sense and reason? He had been short in his opening of the case, because he felt it to be so plain that he was afraid reasoning on it might bring on obscurity, which simply reading of it could not do. How, then, was it to be defended? Not by itself, for that was desperate. It was impossible to read it, and not to say that it bore that a change of circumstances would bring blessings, but that the æra for their attainment was the accession of another Sovereign, and that he would be nobly popular in the country." Could any man say, that the paragraph would bear any other interpretation? The time at which these blessings were to be expected, was the commencement of the reign of the next Sovereign; the public were to look forward to that period, without hope or expectation of any of the promised blessings visiting them during the reign of his present Majesty. Then, how was this paragraph to be explained away by any other parts of the same paper? It was said by the Defendant, that the paragraph in question was not in the large type, and that this which was displayed conspicuously, was all which the publishers of such papers held out as their own. This was the first time the Attorney General had ever heard of such a doctrine, and his Lordship would tell the Jury, that it was impossible such a defence could be admitted. The Defendant had also said, that there were other passages in the same paper which proved that he did not hold the sentiments here imputed to him. To take up that matter drily, could it be said that a man was entitled to put a paragraph of the tendency he had described, into an insulated part of his paper, and then to argue—It is true, you here find this paragraph, but if you look three columns back you will find one of a different tendency, and the one will correct the other. No such argument could be sufficient to avail any man. But it was said, the paragraph did not go so far, and that what he had stated was not the meaning of it. He could only take the paragraph by itself, and to his mind it had only this one meaning, that the blessings he figured were only to be attained in the reign of his Majesty's Successor. When this idea was in the mind of the writer of the article—when the person of the King must have been before him, how came he not to state, that his present Majesty might have an opportunity of becoming nobly popular by a total change of system, but to reserve that claim to popularity for his Successor? To proclaim to his readers, that his present Majesty will not entitle himself to claim an attachment on the part

of his subjects, but that it is the Successor of his Majesty only who will do it? It was impossible, he contended, for any man to wrest the paragraph to any other signification. But what was it which the Defendant relied on to shew, not only that he had not, but that he could not have any such sentiments in his contemplation? Not the sentiments of the Editor himself, but what he related of another as being his sentiments. "You must not," says he, "impute disloyalty to me, because in another part of the paper I truly impute loyalty to Lord Grenville, and state the expressions of loyalty used by him." It did not appear to him, that there was any thing like rational argument in this. But the Defendant said, there was still another part of the Paper which proved the loyalty of the Defendant, and this was a paragraph in commendation of the Prince of Wales, and of his veneration for the virtues of his father. It was impossible, either for the Defendant, or for the Learned Lord who had formerly been his Counsel, to hold the character of his Royal Highness in higher respect than he (the Attorney General) did; but he was at a loss to see what connection there was between this paragraph in commendation of his Royal Highness, and this tail-piece, as the Defendant described it, tacked not to it but to another article. The sentiments ascribed by the Defendant to the Prince of Wales were most truly so ascribed with the view of magnifying his character; but what argument could be built on this to shew the Jury that they were not from the other paragraph, to collect, that the accession of his Majesty's Successor to the throne was not the æra at which the blessings alluded to were to be attained? So far the reverse of this it furnished an additional argument for the interpretation he (the Attorney General) contended the paragraph could alone receive. He should not have thought the two paragraphs at all connected together; but supposing them to have followed each other, or to have formed part of the same article, what would they together have amounted to? A commendation of the Prince of Wales a declaration that a total change of system would produce an infinity of blessings—followed by an observation that the Successor to his present Majesty would have the finest opportunity of becoming nobly popular. In other words, "Nothing but change of system can produce the blessings alluded to, and his Majesty's Successor—that Prince I have before commended, will have an opportunity of becoming nobly popular, by acting directly contrary to that system his father is now pursuing." Could any man give a different interpretation to the whole, supposing the paragraphs to stand together? The Defendant said this was like a postscript or corollary to the article in the former part of the paper. He (the Attorney General) said, if they were connected his argument would gain additional strength from the circumstance. But, if connected, how happened it that they were so disjoined? The Defendant said, the article charged as a Libel was to be taken as a part of the former long article. What part? The article immediately preceding it, began, "Three sail of the homeward-bound Jamaica fleet," &c. Then, if this argument of the Defendant was correct, it followed, that there was not a paragraph which could possibly find its way into a newspaper, however poisonous it might be in itself, which, when coupled with another paragraph in some other part of the same paper, might not become perfectly innocent. For a person of so acute an understanding as the Defendant possessed to hold out such an argument to the Jury, was to deceive them. It was unworthy the understanding which he had so ably, and, though he disclaimed it, so eloquently exhibited to-day, to contend that the articles had any connection. If they had, however, it only made the matter worse. He should do the Defendant the justice to say, that he did not believe the Defendant intended they should. If he had first perused the one, and then adopted the other as having reference to it, his intention would be the more strongly manifested; and therefore, if the paragraphs were to be connected together, the observations that he had before made would be greatly enhanced.—If there was nothing in this paper, which he was certain there was not, that could give a different sense to the paragraph complained of, it must be judged of, as it stood, by itself. The effect of it no man who read it could doubt. He had no doubt his Lordship would tell them that the paragraph could have no meaning but that which he had assigned to it; of course, it would be their duty to convict the Defendants.

Lord ELLENBOROUGH then addressed the Jury. The Defendants were charged by the present information with publishing a libel, of an unlawful, wicked and malicious

nature, concerning the King and the administration of the affairs of the country, applying personally to his Majesty. The paragraph was short, and the Jury would thereby be the better able to attend to the words of it. They were these: "What a "crowd of blessings rush upon one's mind, "that might be bestowed upon the coun- "try in the event of a total change of sys- "tem! Of all Monarchs, indeed, since the "Revolution, the successor of George the "Third will have the finest opportunity of "being nobly popular." The Jury would apply their minds to the consideration of these words, and see whether they supported the charge. The Defendant had given his interpretation to the paragraph, and to shew that he was innocent made reference to the context in the paper of the same day, from which it would appear that he meant not to disparage the Sovereign, or to arraign the wisdom of his conduct. This paragraph, he contended, was to be viewed as part of the same article to which the attention of the Jury was now called, and to be taken as if it had been incorporated in it. The part of this article first pointed out by the Defendant referred to a political event which they all knew, namely, the communication between Lord Grenville and Mr. Perceval, relative to the formation of a new Government, and another part of it referred to the line of conduct observed by the Prince of Wales on that occasion. His Lordship proceeded to read the particular passages alluded to, and observed, that if the paragraph charged on as being a libel had stood immediately under, or if it had been a continuation of the article in question, it must have had a considerable effect on the opinion of the Jury, and even as it did stand, it was for them to determine if the paragraph charged as a libel could be supposed to have any reference to the sentiments of the writer or publisher, as expressed in the longer article. The Jury would, therefore, have to consider, first, if they could take the paragraph in question as having reference to the more detailed article; and, if there was any thing improvident in the paragraph said to be a libel, what qualification it was entitled to receive from connecting it with the other article. The other, and the most important for their consideration, was, What was the fair, candid and honest interpretation which they found themselves called on to give to the paragraph itself. The article with which it was sought to connect the paragraph called in question, did not by any means shew that it was the wish of the writer of it to disparage his Majesty. It acknowledged, what we all knew, the virtues of his Majesty, and breathed throughout sentiments of loyalty. It was to be observed, however, that the paragraph forming the subject of the present prosecution, and which it was sought to connect with this article as a corollary, was removed to the distance of two columns from it. If the two had stood together, the one immediately following the other, the one must have been taken, in fairness, to throw light upon the other. But standing so far removed as they did, he was not so much convinced that they could be regarded as having any reference to, or connection with, each other. The other question, therefore, was, What was the fair meaning of the paragraph, standing unconnected with any other article; and was it *per se* libellous? It stated that blessings might result from a change of system; but that might fairly mean from a change of political system. By the word "total," it was obvious that the paragraph did not mean a subversion —a demolition of the Government, because in the very next line it talks of our Monarchs, and contemplates a succession of them. Now, that to say, that there would be blessings likely to result from a change of system, was a sentiment that might not be safely expressed, was a length that he did not feel himself prepared to go. A change of system might become necessary in consequence of error: error might be fairly imputed to any one. There was only one Being to whom error was not imputable. His Majesty, who we all knew cordially wished the welfare of his subjects, might even from his excess of love for them, be led to take an erroneous view of the interests of his country. He was not prepared, therefore, to go the length of saying, that to state so, amounted to a disparagement of his Majesty. If such charge could be shewn to have been made with a malicious view, it would be highly libellous; or if corruption, wilful fault, or any perverse evil motive were assigned, it would be clearly criminal; but there was no proof of any malice in the present case. The paragraph went on to state, not positively that the Successor to his present Majesty would be nobly popular, but that he would have an opportunity of becoming so. What was the fair import of the paragraph, taken all together, so-

cording to the fair sense and meaning of the words, neither giving them a mere comment, nor a harsher interpretation than they seemed to require, it was for the Jury to say—that duty properly belonged to them. Where two meanings might be affixed, it had been the practice in criminal cases, and particularly in libel, to take the more lenient; but now it was thought right to look only for the real meaning, whether the more lenient, or not. His Lordship did not see any thing in this paragraph to induce him to go the length of saying, that it must be malicious. During part of any reign, and for a length of time, there might have been an erroneous view of matters; and, to impute nothing but honest error, unconnected with crime, he was not prepared to say, was libellous. He should esteem himself acting too rashly to lay down such a doctrine. If the Jury had no doubt, from a fair construction of the paragraph, that the words used were meant to calumniate his Majesty, they would say so. But, if they thought themselves warranted in giving it a different interpretation, and were satisfied that it was not published with any such intention, they would find the Defendants Not Guilty. They were not to go to any distant circumstances on which to form their opinion, but to the fair and obvious meaning of the paragraph as it went home to their minds. If, on considering it well, they thought it calumnious, they would say so. If they did not find it necessary to do so, and could reconcile it to their idea of error only being imputed, which, it was possible, might prevail in the very best and most enlightened of princes, they would find the Defendant's Not Guilty. His Lordship alluded to a measure of Oliver Cromwell's, by which from a policy thought wise at the time, but since found to be erroneous, the balance of power was thrown into the hands of France against Spain, an error which had been the foundation of the evils we had since experienced. There were many instances, where Monarchs the most splendid, and who had contributed greatly to promote the blessings of their subjects, had also from an erroneous view of a particular subject given effect to a system very different from what they had contemplated. He concluded by desiring the Jury to apply their minds fairly to the consideration of the paragraph, which was the subject of the prosecution, and according to their interpretation of its fair import, to pronounce their verdict.

The Jury, after consulting for about two minutes, pronounced their verdict—NOT GUILTY.

THE KING *v.* HUNTS.

A similar Information had been filed, and stood for trial against the proprietors of *The Examiner* for the insertion of the same paragraph. On its being called on,

The ATTORNEY GENERAL, addressing Lord Ellenborough, said—"My Lord, I WITHDRAW IT."

OFFICIAL PAPERS.

AMERICA.

MESSAGE *from the President of the United States, transmitting Extracts from the Correspondence of Mr. Pinkney.*

To the House of Representatives of the United States.—Agreeably to the request expressed in the Resolution of the 13th instant, I lay before the House Extracts from the Correspondence of the Minister Plenipotentiary of the United States at London.

Dec. 16, 1809. JAMES MADISON.

Brief Account of an unofficial Conversation between Mr. Canning and Mr. Pinkney, on the 18th of January, 1809, continued on the 22nd of the same month. (Transmitted by Mr. Pinkney to the Secretary of State.)

I dined at Mr. Canning's with the *corps diplomatique* on the 18th January. Before dinner he came up to me, and entering into conversation, adverted to a report which he said had reached him, that the American Ministers (here and in France) were about to be recalled. I replied, that I was not aware that such a step had been resolved upon. He then took me aside, and observed, that according to his view of the late proceedings of Congress, the Resolutions of the House of Representatives, in committee of the whole, appeared to be calculated, if passed into a law, to remove the impediments to arrangement with the United States, on the subjects of the Orders in Council and the Chesapeake, by taking away the discrimination between Great Britain and France in the exclusion of vessels of war from the American ports. He added, that it was another favourable circumstance that the non-importation system which seemed to be in contemplation, was to be applied equally to both parties, instead of affecting, as

heretofore, Great Britain alone.—I proposed to Mr. Canning, that I should call on him in the course of a day or two, for the purpose of a free communication, upon what he had suggested. To this he readily assented; and it was settled that I should see him on the Sunday following (the 22d) at twelve o'clock, at his own house.—In the interview of the 22d, Mr. Canning's impressions appeared to be in all respects the same with those which he had mentioned on the 18th; and I said every thing which I thought consistent with candour and discretion, to confirm him in his disposition to seek the re-establishment of good understanding with us, and especially to see in the expected Act of Congress, if it should pass, an opening for reconciliation. —It was of some importance to turn their attention here, without loss of time, to the manner of any proceeding that might be in their contemplation. It seemed that the Resolutions of the House of Representatives, if enacted into a law, might render it proper, if not indispensable, that the affair of the Chesapeake should be settled at the same time with the business of the Orders and Embargo, and this I understood to be Mr. Canning's opinion and wish. It followed that the whole matter ought to be settled at Washington, and, as this was moreover desirable on various other grounds, I suggested that it would be well, in case a special mission did not meet their approbation, that the necessary powers should be sent to Mr. Erskine.—In the course of the conversation, Mr. Canning proposed several questions relative to our late proposal; the principal were the two following:

1. In case they should wish either through me or through Mr. Erskine, to meet us upon the basis of our late overture, in what way was the effectual operation of our embargo as to France, &c. after it should be taken off as to Great Britain, to be secured. It was evident, he said, that we should do no more than refuse clearances for the ports of France, &c. or prohibit under penalties, voyages to such ports, the effect which my letter of the 23rd of August, and my published instructions, proposed to have in view, would not be produced; for that vessels, although cleared for British ports, might, when once out, go to France instead of coming here; that this would in fact be so, (whatever the penalties which the American laws might denounce against offenders) could not, he imagined, be doubted; and he therefore presumed that the Government of the United States would not, after it had itself declared a commerce with France, &c. illegal, and its citizens who should engage in it, delinquents, and after having given to Great Britain by compact an interest in the strict observation of prohibition, complain if the naval force of this country should assist in preventing such a commerce.—2d, He asked whether there would be any objection to making the repeal of the British Orders and the American Embargo cotemporaneous? He seemed to consider this as indispensible. Nothing could be less admissible, he said, than that Great Britain, after rescinding her Orders, should for any time, however short, be left subject to the Embargo in common with France, whose Decrees were subsisting, with a view to an experiment upon France, or with any other view. The United States could not, upon their own principles, apply the Embargo to this country one moment after its Orders were revoked, or decline after the event to apply it exclusively to France, and the Powers connected with her system.

I took occasion, towards the close of our conversation, to mention the recent appointment of Admiral Berkeley to the Lisbon station. Mr. Canning said that whatever might be their inclination to consult the feelings of the American Government on that subject, it was impossible for the Admiralty to resist the claim of that officer to be employed (no other objection existing against him), after such a lapse of time since his return from Halifax, without bringing him to a Court Martial. The usage of the navy was in this respect different from that of the army. But I understood Mr. Canning to say that he might still be brought to a Court Martial, although I did not understand him to say that this would be the case. He said that Admiral Berkeley, in what he had done, had acted wholly without authority. I did not propose to enter into any discussion upon the subject, and therefore contented myself with speaking of the appointment as unfortunate.—In both of these conversations Mr. Canning's language and manners were in the highest degree conciliatory.

LONDON:—Printed by T. C. HANSARD, Peterborough-Court, Fleet-Street:
Published by R. BAGSHAW, Brydges-Street, Covent-Garden:—Sold also by J. BUDD, Pall-Mall.

COBBETT'S WEEKLY POLITICAL REGISTER.

VOL. XVII. No. 13.] LONDON, SATURDAY, MARCH 31, 1810. [Price 1s.

"There is a certain number of persons in the State Prisons, whom it is not *convenient*, either to *bring* "*to trial*, or to *set at liberty*. There are several men, *certainly culpable*, but who *cannot be condemned* "*by our Courts*."——NAPOLEON'S Decree.

SUMMARY OF POLITICS.

WHAT IS DESPOTISM?——In the present state of the world, when governments stand, as it were, at the bar of the people; or, if the people are, in certain cases, kept down by violent means, when governments stand, at least, at *the bar of reason*; at such a time, it is worth while to inquire a little into the nature of the different sorts of government; and, as being that sort, of which very few amongst us, here in England, have, as yet, the hardihood *openly* to avow themselves the advocates; that sort, which, as yet, we hold in abhorrence, let us first inquire what *Despotism* is, and endeavour to come to a *clear and settled notion* respecting it.—— Mr. Adams, in his Essays on Political Constitutions, has defined this species of government, and, in my opinion, very completely defined it. But, let us hear DR. JOHNSON. He says, that *Despotism* means "*Absolute* Power." Then, again, he says, that *Absolute*, as applied to power, means "*Not limited*." Hence it is clear, that, wherever there exists a power, *not limited* by any fixed rule, or law, and not controulable by any other power; wherever such a power exists, there must exist a despotism.——Indeed, what is despotism but *arbitrary power?* Like Peculator and Public-Robber, they are different words; but, they mean the same abominable thing.——DR. JOHNSON says, that *Arbitrary*, means, "*despotic; — absolute; —de-* "*pending on no rule; —capricious; —depend-* "*ing on the will*."——Wherever, then, the people, or any part of the people; wherever any person whatever, is liable to be punished, in any way whatever, at the pleasure of the party punishing; wherever the life, liberty, or property, of any man in the community is "*dependent on the will*" of any body whatever, the government under which he has the misery to live is a *despotism*; or else all the definitions of DR. JOHNSON are false.——Let us now seek for a practical illustration of this theory: let us take a look at the hateful monster, Despotism, as he has lately and as he even now appears to us in real life. We need not go far to come at a sight of him. He is *at no great distance from us*. To get a view of his jealous scowling visage, so strongly descriptive of that *cowardly* tyranny, which is bold only because it feels that the arms of the mercenaries by whom it is surrounded will insure it impunity; to get a full view of this detestable object, we have nothing to do but to go down to Dover, and cast our eyes across the Channel.——But, to proceed to the practical illustration, which I have now more immediately in my eye, or, which, at any rate, I shall select for this occasion, the reader will, probably, remember something of a certain DECREE, recently passed, or said to have been passed, by the EMPEROR NAPOLEON. This Decree I have not seen at full length. I shall, therefore, take the account of it, given in the *Morning Chronicle* of the 22nd of this month, and which account was in the following words: —— "A decree passed the beginning of this "month. It relates to State Prisoners, "and the preamble says, that there is a "certain number of persons in the State "Prisons, whom it is NOT CONVE- "NIENT, either TO BRING TO TRIAL, "OR TO SET AT LIBERTY — that "though they would be condemned by "the Tribunals to capital punishments, "SUPERIOR CONSIDERATIONS OP- "POSE THEIR BEING BROUGHT TO "TRIAL—that several are men accus- "tomed to crimes, but who CANNOT BE "CONDEMNED BY OUR COURTS, "though they have the certainty of their "culpability—that some belong to diffe- "rent countries, which have been united "to France, but that they cannot be tried, "because their offences are either politi- "cal, or anterior to the union of these "States!!!"——So, then! H-e, hem! Mr. Perry puts three marks of admiration at the close of this account; and, he adds, by way of remark, these words: "Such "is the *horrible* nature of BUONAPARTE'S "*tyranny*, and the *debased state of the people*,

"to whom he dares so *fearlessly* to avow it!" ——This is very good. These are sentiments which do honour to the person expressing them; and, in which sentiments I cordially join. What! put men into prison, without any trial, and keep them there during his pleasure? What! imprison, keep in prison, punish men, without any trial? What! put men in prison, shut them up in a jail, without any forms of law, without any trial, and then say that superior considerations oppose their being brought to trial? What! send men to prison, and keep them there, because . . . . . because *what?* because, *if brought to trial*, they CANNOT BE CONDEMNED BY THE COURTS? Well might the Morning Chronicle call Buonaparté's government a "*horrible tyranny:*" well might it speak of "the *debased state of the people*, to whom he "*dares* fearlessly to avow it." It is very true, that the people, supposing them not to be completely over-awed and kept down by mercenary troops, who can have no feeling in common with them, and who, in all likelihood, are hired and paid for the sole purpose of keeping the people in a state of submission to despotic acts, and are, thus, the means of increasing those taxes, to enforce the levying of which is one of their principal uses; it is very true, that the people, unless thus kept down; unless thus assessed with the bayonet at the breast; unless thus commanded to contribute with a "*stand and deliver*;" unless thus compelled, by force of arms, to submit to down-right, notorious, bare-faced robbery: it is very true, that the people, unless thus beaten down and kept down; unless thus held in continual fear of their lives, must be a very base race, and must richly deserve all that they suffer. But, if they be trammelled in the manner here described; if they be compelled to support armed mercenaries in the midst of them; if they be reduced to a state, in which they are obliged to work like galley-slaves in order to earn the means of supporting troops, whose business it is to shoot at them, if they dare attempt to resist their Robbers; if such be their state, what are they to do? What is it possible for them to do?——It must be allowed, however, that things cannot have arrived at this pitch, without some fault, or some shocking folly, on the part of the people of Napoleon's dominions; nay, without some *fault*. They suffered him to introduce his Mamelukes and other foreign troops, without any resistance, and even without any complaint. They suffered him to bring his Polanders and his Italians into France, while he sent the French troops out of France. They suffered him, thus, by degrees, to draw the hand-cuffs and leg-bolts over their limbs; and, when they had so done, was it any wonder that he fearlessly told them, that he would keep men in prison, as long as he pleased, without bringing them to trial, merely because, *if brought to trial, they could not be condemned in his Courts?* Impudent as this declaration is; revolting as it is to every principle of justice; insulting as it is to human nature; degrading as it is to the character of any thing in human shape; still, it is no more than what ought to have been expected by a people, who had quietly, and, indeed, many of them, from very bad motives, suffered themselves to be surrounded in their very houses by Mamelukes, Polanders, and other Foreign Troops, without having whom at his back their ruler would never have dared so to insult them.——One of the greatest faults of the French, however, is their having, for so long a time, not only suffered to exist, but given their countenance to the existence of, that thing called the *Corps Legislatif;* that sham of a representation of the people, formed by sham elections; that set of sham Legislators, whose proceedings consist of sham motions, sham debates, and sham votings, and whose sham laws are in reality, already made by Napoleon's Ministers and Orators before they are introduced into that sham assembly, which, for the far greater part, manifestly consists of a set of venal knaves, or of fools, who, to make them knaves, want nothing but the requisite wit. Despicable as this Assembly is, in its doings as well as in its origin, it has nevertheless, served, for a good while, to impose upon the people. The mass of mankind are worked upon by the power of *words*. They are very apt to take a thing to be, and to let it pass for, *what it is called*. From this cause it is, that we seldom see any body of men backward in bestowing fine appellations upon each other and ascribing to each other very fine qualities; and, from this cause it is, that the impostors in question speak of themselves, upon all occasions, as if they were, in reality, *freely chosen by the people*, when they, and not only they, but all the world, know, that they were no more chosen by the people, than they were chosen by the birds of the air. Yet, from a want of

thought; from a want of taking time to reflect; from a want of the habit of acting upon reflection, a part of the people do really seem to consider them as their representatives; and the vile prints, such as the *Moniteur*, &c. obviously in the pay of the government, have the profligacy *openly* to speak of them as a body, who have power freely to deliberate, and whose decisions are not dictated by the Ministers of the Emperor, when it must be well known to every one of the Editors of the said prints, that those ministers have always a majority, and that the voting on opposite sides is a mere contrivance for the purpose of deceiving the nation.——The conduct of the Corps Legislatif is by no means wonderful; because, we see that the whole Corps, and that each individual member of it, have a clear interest in what they do. But, one cannot help being astonished at the conduct of the people; or, at least, at the conduct of that part of them, who seem to wish to uphold the imposture. These are, indeed, but few in number, when compared to the whole nation; but, it is deeply disgraceful, that these few should be found. Is it not perfectly shocking, for instance, to hear people speaking of the ANNUAL EXPOSE, (read, I believe, to the Corps at the opening of its sittings,) as of a document containing important truths; when it must be manifest to the nation and to all Europe, that it is a string of equivocations and falshoods, put together for the express purpose of bewildering common sense, and of confusing and confounding facts and circumstances: in short, a thing contrived for purposes of fraud, and of tyranny through the means of fraud. Then, as to all the Reports of the *Ministre des Finances*, as they call one of their head Public Robbers, they are just so many pieces of paper, lines of words, and rows of figures, made for the express, and the almost notorious, purpose of blinding the people. They are, I verily believe, no more accounts of money *actually* received and issued, than they are accounts of what is passing in the moon. That part which is given to multitudes of spies and informers and that is divided amongst the several persons in power, and their mistresses, wives, children, and relations, is put down, I have no doubt, to the account of the Army or the Marine, or to some other score of public expenditure, which the poor cajoled people are made to regard as being necessary to their safety. And, as to there being swarms of people employed to *check* the expenditure, all that needs to be said is, that these *checking-men* are, in all probability, appointed by, and removeable at the pleasure of, those very persons, whose accounts they are appointed, to check.——After a description like this, one can hardly believe one's senses, when one sees a people, formerly renowned for their spirit, quietly, and even silently, submit to such a government, having, apparently, in the present practice of it, no one good, and so many evils. But, the greatest evil of all still is, in my opinion, the power, exercised by Napoleon, or by some other part of the government (it is no matter which,) of sending men to prison, and keeping them there for an *indefinite term*, without *any trial*, as is, in the article above quoted from the Morning Chronicle, explicitly declared to be the practice now in the dominions of Napoleon; and as will be, doubtless, the practice in all the countries, of which he may become master. ——Need I, therefore, call upon Englishmen to defend *their* country against him? "Last shilling!" Aye, the last quid of tobacco; the last pinch of snuff; the last dish-clout as well as the "last shirt," one ought to sacrifice, rather than submit, or run the risk of submitting to such a villainous despotism. Napoleon contrives, I dare say, to persuade the wretched slaves, who submit to his sway, that such submission is necessary, in order to their security against his *external enemies*; or against the *return of anarchy* and of *revolutionary times*. But, if the people had common sense and common spirit, would they not ask him how it was possible for any change to make their lot worse? Would they not ask him to point out that species of sway which was more odiously unjust than that which exposed them, and each of them, to the chance of being, at any time, put into prison, by his arbitrary will, and kept there for a term indefinite, because, *if brought to trial, they could not be condemned by his Courts?* In answer to all his cries of Wolf! wolf! in answer to all the sham alarms of his priests about anarchy and blood-shed, would not the people, if they had common sense and common spirit, ask him whether it would not be better to be killed, to be hacked to pieces, in an endeavour to recover their liberties, than to drawl out life for a few years longer under such a load of misery and of infamy?

OUR STAFF.——We are a great nation in all things, but, in nothing I think so great as in our *military staff*.——The stock of *Generals* that we have is truly astonishing. We have, I believe, upwards of a hundred and ten of them, *natives*, not to mention those who have kindly come from abroad to our assistance. And yet Buonaparté pretends, that we are not a *military nation*! Why, we have, I verily believe, more Generals, of one sort and the other than he has, with all his boasting; and, what is more, our generals can all *write* too. Heavens! how they write! The account of the wars in Guadaloupe alone filled, in close print, more than a whole daily news-paper of twenty columns. We had, it appears no less than *ten generals*, engaged in those wars, though the whole number of the enemy appears to have been but about *fifteen or sixteen hundred men*, and how many of these were Frenchmen, or even *white-men*, is not, as I can see, any where stated by any one of our generals, in any part of the said twenty columns of writing. *Ten generals* to make war upon less than two thousand men, Blacks and Whites!——After this specimen of our abundant supply of generals, the public need not be very much surprised at the amount of the expences of the *Staff*, as it is called.——On the 23d instant a very pretty, and very *valuable* discussion took place in the Honourable House upon the subject of this our glorious Staff, of which Lord Palmerstone, who is, I believe, a Secretary of War, gave, as the report says, the following account.—— "Lord Palmerstone adverted to the returns on the table, of the Staff in the several districts, and stated the reduction of the General Officers on the Staff to be as follows: In the Eastern district it was proposed to discontinue one Lieutenant General, leaving eight Generals commanding twenty thousand men. In the South-west district it was proposed to discontinue one Lieutenant General and appoint a Major General in his room, one General would there command 4,000 men. In the Severn district it was proposed to discontinue one Lieutenant General—*(Hear! hear! hear!)* and the command would consequently devolve on a Major General. In the Home district it was proposed to discontinue one Major General, there would remain five Generals to command 10,000 men. In North Britain it was proposed to discontinue one Lieutenant-General, and one Major General, seven Generals would then remain in the command of 11,000 men. The difference of expence which this reduction of the Staff would occasion was 3,171*l.* as the saving could take place only from the 25th of March; but next year it would be 17,000*l.*—His Lordship next adverted to a paper on the table, shewing comparatively the proportion between the troops and the Staff at three distinct periods, viz. in 1805, when the Staff was very large, in 1806, when it had been reduced by the last administration, and in February 1810, before the present reduction had taken place. By this comparative statement, it appeared that the Staff in February last (before the present reduction,) was on a lower scale in proportion to the troops in the country than even in 1806.—In 1806 there was one General Officer to 1,971 men; in February, 1810, there was one General Officer to 1,990 men. From the 64 Generals on the Staff in February, 1810, if the six now proposed to be discontinued were deducted, there would remain 58, or one General Officer to 2,190 men; a proportion which, under all the circumstances of the country, could not be considered too great. He concluded by moving a resolution, That a sum not exceeding 457,724*l.* be granted to his majesty, for General and Staff Officers, &c."——*Fifty eight Generals* to command in this island! *Fifty eight Generals!* But, Mr. CALCRAFT said something very well worthy of notice. "He declared," says the report in the Morning Chronicle, "that the proposed reduction was a MERE MOCKERY. The most extravagant districts had scarcely suffered any reduction at all. On a comparison of two of the estimates, it appeared to him that the noble lord had mis-stated the saving, which seemed to him to be only 7,772*l.* instead of 17,000*l.* The gentlemen opposite found those in the Staff, *whom it was beyond their strength to remove*; and it was *well known* that if a *favourite officer took a house in any part of the country, the Staff was made to travel to him.*"——Oh! this is *well-known*, is it? And a very nice thing it is. This is a thing for the people to know, and to bear well in mind. This is a thing to treasure up in the public mind.——Well, what said Mr. PERCEVAL? "The CHANCELLOR of the EXCHEQUER put it frankly to the right hon. gentleman whether he could visit

" upon the present administration any just " charge of adding to the staff expendi- " ture: they had presented to the house a " reduced estimate upon a reduced staff; " but upon even that estimate the right " hon. gentleman was inclined to make " greater reductions; why had not those " reductions been proposed *when the right* " *hon. gentleman himself was in office?* Why " had they not then occurred *to him?* they " were surely to the full as necessary " then as now; and how was it to be ac- " counted for, that they then had escaped " the sagacity of that right hon. gentle- " man?—The right hon. gentleman put " it to the committee, whether as a matter " of *convenience to his majesty*, any gentle- " man would wish to reduce the revenue " of those generals who were *in the habit* " *of accompanying him in any military review* " *in the home district.* Lord Heathfield was " Goldstick to his Majesty, which claimed " consideration; and surely if it were ad- " mitted to employ *one of the king's sons* in " military capacity, it was not improper " so to employ him *in the home district.*"— There needs not any comment upon this. ——What Mr. Wardle said, in this debate, was very important, and, therefore, I insert it at full length. I beg the reader to go over it with care. It will give him a clear insight into one of the sinks, through which the enormous amount of the taxes disappear. There are so many things of this sort, that the public become weary of thinking and talking about them; but, let it be recollected, that these are the things, which swallow up the taxes.—— " From the manner, Sir, in which this " debate has commenced, I think it neces- " sary, before I enter upon the question " under discussion, to offer one prelimi- " nary observation, and that is, that I do " not feel that his Majesty's *present* minis- " ters are more deeply implicated in the " present question than their immediate " predecessors, under whose administra- " tion the same profligate expenditure " abundantly flourished. I oppose not " men but measures; and I rise now, Sir, " to attack a vicious, vile, and corrupt " system. The jacobinical doctrine I " held last session, has, to my astonish- " ment, become the favourite topic with " gentlemen on the other side the House, " particularly with one honourable gen- " tleman, who, having had the best means " of informing himself upon the subject, " has told us, that, unless our expenditure " is reduced twenty millions annually, " that we shall not be able to prolong our " contest with the emperor of the French. " After this, Sir, what will the people say " to the sort of saving now proposed by " his Majesty's ministers? Why, Sir, " they will say, it is adding insult to op- " pression. A saving of *thirteen thousand* " *pounds*, out of a profligate expenditure " of above *half a million.* Why, Sir, this " *saving*, as it is called, is little more than " a saving of *half the wanton excess of the* " *last year*; for, from 'the Disposition of " Grants' for 1808, I find the Staff expen- " diture to have been £.433,404, when " the amount of this *reduced* estimate, as " it is termed, for 1810 is £.457,724, ex- " ceeding that of 1808 by £.24,000. But, " Sir, this is not all, for the printed esti- " mate I hold in my hand, does not con- " tain three considerable branches of the " General Staff. I mean the Recruiting " Staff, the Volunteer Staff, and the Ord- " nance Staff, amounting together to no less " a sum than £.83,474. Why the noble " Lord kept this *small item* out of sight I " know not; but this I know, that small " as it may *now* be thought, it is within " fifteen hundred pounds of the *total staff* " *expenditure* of the country a very few " years ago; when, as the hon. gentleman " (Mr. Huskisson) has informed us, *the* " *whole population of the country was in arms.* " At that period the *total* Annual Staff " Expenditure was £.85,000; and can " any thing like a reason be given why it " ought to be more now? I am sure there " cannot; therefore, if justice was done " to the people, above £.400,000 would " be saved instead of 13,000!! Had his " Majesty's ministers intended well by " their country, a better occasion for " evincing such a disposition could not " have offered itself; but they have missed " the golden opportunity, and given one " other convincing proof, that no check " whatever will be given to the profligacy " of expenditure *till the people are fairly* " *represented.*——When, Sir, the Barrack " System was first introduced, it was " ushered in with the assurance that no " heavy staff expenditure would then be " necessary; and that it would afford a " provision for the officers on the half-pay, " and thereby *lessen the burthens of the peo-* " *ple.* Now what has happened—Why, " Sir, near thirteen millions of money has " been *voted* by this House, out of the " pockets of the people, under the head " of *Barracks*, and this House has also " voted, that the annual staff expenditure

" should be INCREASED from £.85,000 to " *half a million;* and, instead of officers on " the half-pay filling the situations in the " Barrack Department, you will there " find the favourite servants and de- " pendants of those in power.——Feeling " these things, Sir, as a man anxious for " the welfare of his country ought to feel " them, I shall ever oppose myself to such " corrupt practices; but fully aware that " no exertions of mine can, under existing " circumstances, be attended with exten- " sive success, I shall not waste either the " time of the Committee, or my own " breath, in a fruitless effort, but content " myself with calling the attention of his " Majesty's Ministers to a few features of " peculiar profligacy in the estimate be- " fore us.——That part of the Jacobinical " Creed that 'there is a necessity that the " utmost œconomy (consistent with effi- " ciency) should be practised,' being " adopted by the honourable gentlemen " opposite, I beg to ask them, and the " Committee, whether the voting £.1,368 " 15*s.* per annum to the Quarter Master " General, *as a Lieutenant General on the " Staff*, can be justified. As a Quarter " Master General we vote him £.4 5*s.* " per day, which is £1,551 a year, be- " sides his contingent allowances; he also " has a two Battalion Regiment, which is " worth at least 1,600 a year. It will " not be pretended that he performs any " duty whatever *as Lieutenant General on " the Staff;* for his having a *Deputy Quarter " Master General* speaks to his being un- " able of himself even to fulfil the duties " of Quarter Master General. Therefore, " Sir, it becomes a mere question of money, " whether the Quarter Master General, " possessed of an income from his regi- " ment of at least £.1,600 a year, has any " fair claim upon the people's purse (after " receiving £.1,551 a year as Quarter " Master General) for a further sum of " £.1,368 5*s.* merely because he is " *written down Lieutenant General on the " Staff.* This question applies to the Ad- " jutant General, and to his deputy, as " well as to the deputy of the Quarter " Master General, for we find that all " these officers have regiments, although " they are fastened upon us for *Sinecures* " under the head of *Generals on the Staff.* " If, Sir, the pay attached to the different " situations is not sufficient, let it be in- " creased; but let us not, under the head " of Army Estimates, vote Pensions and " Sinecures.——The next observation I " have to make, is on the Staff of the " Artillery and Engineers; it appears " that one General, one Lieutenant Gene- " ral, and three Major Generals, are upon " our Home Staff *without having a single " man under their command,* and their joint " pay is £.12,449 a year. Now it will " be argued, I am aware, that it does not " follow, as a matter of course, that Gene- " rals of Artillery or Engineers, should " have any men under their command, " that they have other and peculiar duties " to perform; this I admit, *provided we had " an army in the field;* but, as that is not " the case, I do argue that we are now " voting £.12,449 without services being " performed that would authorize such a " vote.——Next, Sir, as to the Volunteer " Staff which costs the country near " thirty thousand a year! That of Eng- " land being £.14,000; that of Ireland " £.15,990; though the Volunteers are, " in a great measure, converted into Local " Militia Men, still are we called upon to " vote this enormous item of the Staff Ex- " penditure. It is something remarkable, " too, that the Irish Volunteer Staff should " exceed that of England in point of ex- " pence, for the number of Volunteers in " England greatly exceeds, I presume, " those in Ireland.——The next and last " item that I shall trouble the Committee " upon, is the "*Recruiting Staff,*" the ex- " pence of which amounts to £.41,035, " and this certainly does demand peculiar " attention. The first observation I beg " to make upon it, is this, that, on com- " paring this expenditure with the num- " ber of recruits raised, (averaged in each " year at eleven thousand), it appears " that, by this new establishment, (one " merely of patronage,) the people are " put to an additional expence of near " *four pounds for every recruit raised,* and " this *besides the bounty,* and all the ex- " pences attendant upon recruiting parties. " This establishment is one of only a few " years standing, and when it was first " set on foot, the strongest assurance was " given, that the expence should not ex- " ceed £.10,000 a year. Now it is some- " what remarkable, that, in the very last " year, it has *increased* nearly in that ratio, " for, in the year 1809, it was £.32,428; " and now we are called upon to vote " £.41,035, without one reason being " assigned, why we even should load our " constituents with an expenditure of " £.10,000.——These things, Sir, speak " for themselves, and I shall trespass on

" the Committee only one moment longer. " And to what I am about to say, I beg " the attention of the noble lord (the " Secretary at War.) I have it from good " authority, that the *Staff, and Contingent* " *Allowances,* are generally *three* years in " arrear, a circumstance extremely incon- " venient to many gallant, and honourable " men, who have probably no other fund " to resort to. The noble lord I see in his " place, (Lord G. L. Gower), when Se- " cretary at War, in December 1808, " settled the Staff and Contingent Allow- " ances for *the years* 1805 *and* 1806. When " I say that there has been no payment " since that period, the noble lord oppo- " site, will not, I believe, contradict me. " ——The regulations of 1804, direct that " these accounts should be made up *half* " *yearly.* There is no excuse for those " regulations being disregarded, no diffi- " culty of account can be pleaded, and if " the noble lord will look himself into the " business, and not trust to the represen- " tations of his deputy, or the chairman " of his new board, I feel confident that " this heavy cause of complaint will be at " once done away *."——After reading this Speech, who can be astonished at the visits of the tax-gatherer? Nearly a million of money paid annually to persons *upon the Staff!* My real opinion is, that there is not, and never was, any military establishment in Europe, not excepting that of France, of which the Staff cost *half* so much money.

WM. COBBETT.

Botley, 29th March, 1810.

* The *real* Staff Expenditure stands thus:

Estimate 1810 - - - - -	£.260,304
Recruiting Staff - - - - -	41,035
Volunteer do. - - - - - -	29,990
Ordnance (part not included in Army Estimate) - - - -	12,449
Garrison Staff at Home - - -	18,635
Foreign Staff and Garrisons - -	169,230
	531,643
Home Staff - - - - - - -	362,413
Total - - - - - - -	£.894,056

LIBERTY OF THE SUBJECT.

Sir;—The Liberty of the Subject is with an Englishman the theme of his general conversation—it is his second Pater-noster—his pride—his boast; and the most distant apprehension of an invasion of this maxim, should rouse in him a jealousy not yielding in its fervour to that which nature has implanted in civilized man, when he suspects an attempt on the chastity of the woman he adores; only to be allayed with the knowledge that her honour is unsullied. I should hope, Sir, that when we apprehend an inroad to be made on our Constitutional Rights, a cool and dispassionate Argument of the grounds and cause of our suspicion, would be considered inoffensive to both Houses of Legislature. Indeed, to imagine that the House of Commons, the Representatives of the People, delegated to guard their Rights and sustain their Liberties, should be displeased with such a temperate discussion, seems to argue a distempered mind. I shall, without farther preface therefore, proceed to discuss the Privilege insisted upon by the House of Commons, of inflicting Punishment, without their Sentence being the Subject of Revision by any other Tribunal. The basis and keystone of the Laws and Constitution of this country, is Magna Charta; of which Blackstone says, "what would alone have " merited the title it bears of the Great " Charter, it protected every individual of " the nation in the free enjoyment of his " Life, his Liberty, and his Property, un- " less declared to be forfeited by the Judg- " ment of his Peers, or the Law of the " Land."—Now, Sir, the House of Commons, in exercising the power of committing and detaining in custody a British subject, for an offence alledged to have been committed against them, and that without appeal, insist that such power lies within the compass of their Privileges, which having existed, as it is said, from time immemorial, are part of the Laws of the Land. Privileges have their force as law from imprescriptible usage; and though these Privileges are not defined to the public, they must be so, I should apprehend, to the honourable House who exercise them; because, if undefined there, it would be equivalent to the creating of Privileges whenever, in the discretion of the House, it should be thought necessary; and if those Privileges are not to be enquired into by any other power, it would be equivalent to one branch of the Legislature making Laws, or rescinding those already made, which cannot, for one moment, be assumed, as that can only be effected by the joint act of all three Estates, viz. King, Lords and Commons. It

is therefore quite apparent, that the assumed right of the House of Commons can only be supported upon the ground of imprescriptible usage, or Common Law of the Land. Now, Sir, we will enquire a little into the doctrine of established usage. It is a clear and indisputable maxim, that no usage can exist in opposition to a written law; it is almost an abuse of time to support so well known a proposition by authority; but Blackstone, in his first volume, p. 77, has these words, "no custom "can prevail against an Act of Parliament:" Now, Sir, let us see how the written law stands in opposition to the usage claimed by the House of Commons. Blackstone says, in the same vol. p. 69, "That the famous Magna Charta is the "oldest written law extant" As it is an historical fact, however, that the House of Commons did not exist prior to Hen. 3rd, it may be said, that Magna Charta is not of equal authority with an Act of Parliament. It is scarcely possible to suppose that such an observation could be made; but I raise it hypothetically, and the answer is decisive; Magna Charta was confirmed by an Act of Parliament in the reign of Hen. 3; and in the following reign of Edw. 1, the same was again confirmed; and Lord Coke says it has been more than thirty times confirmed. Well then, the written law, by Act of Parliament, enacts the protection of every individual of the nation, in the free enjoyment of his Life, Liberty, and Property, unless declared to be forfeited by the Judgment of his Peers, or the Laws of the Land. Are the Privileges of Parliament the Law of the Land? If by Parliament be meant one branch of the Legislature, I say it has not the privilege of imprisoning a British subject, without an appeal against the sentence, because that would be to give custom and usage superior efficacy to the written law: in effect to repeal such written law, but that cannot be, as appears by the passage before quoted from Blackstone, and again in the 1st vol. p. 89, where it is said, "Where the Common Law and the "Statute differ, the Common Law gives "place to the Statute." I know it is insisted, that the Privileges of Parliament are omnipotent and indefinable; and Blackstone in vol. 1, p. 163, has that declaration from Sir John Fortescue, to whom the Lords in the reign of Henry the 6th, put a question respecting their Privileges; but it will be found on reference to this Judge's speech, that he spoke of Parliamentary Privileges not with relation to each individual branch, but of all the branches united; for his words are, "for "it (the Parliament) is so high and "mighty in its nature, that it may make "a Law." Now, it is evident from the assertion that the Parliament can make a law, that he could not allude to one branch of the legislature, as no law can be made by either House of its own distinct and separate authority. And this, Sir, occasions me to observe, that constitutional writers have not sufficiently attended, in their remarks on the Privileges of Parliament, to the circumstance that Parliament means the conjoint power of the three estates, and not the separate and distinct powers of each house. And it is to be remarked, that Blackstone says, "In "the main the constitution of parliament as it now stands, was marked out in "the Great Charter granted by king John "A. D. 1215." But, to suppose that either house possessed omnipotent and undefined privileges, not to be investigated or enquired into by any other power, is to make the laws of the realm repealable at pleasure without an act of parliament, which appears totally subversive of any fixed and determinate laws. Upon the maxims therefore, Sir, of our laws, it seems clear and indisputable, that no usage can affect, alter or repeal a written law; and consequently, no usage of either branch of assembly can alter or repeal Magna Charta; *ergo*, neither house of legislature can imprison a subject, and detain him in custody, at pleasure, without appeal elsewhere.—But, Sir, for argument sake, let it be supposed that no written law interfered with the exercise of the Privileges of either House of Parliament in respect of the commitment and detention in prison of a British subject, without appeal; I submit then, that such a usage could not be supported upon any principle consistent with laws made for the protection of the public weal. Blackstone says, "If a custom is actually proved to exist, "the next inquiry is into the legality of "it; for if it is not a good custom, it ought "to be no longer used," *malus usus abolendus est*, "is an established maxim of law." 1 vol. 76. A custom, which is to have the force of a law, must, if it proceed from any power not absolutely despotic, be consistent with, and tending to the welfare of the country where it is to be exercised. It is for that clear and self evident reason, that it becomes necessary to ascertain that

a usage claimed to have the force of law, be not injurious, and militating against the public good; and therefore, says Blackstone, "a very natural and very material "question arises; How are those customs "or maxims to be known, and by whom "is their validity to be determined? The "answer is, by the Judges in the several "courts of justice." It should seem to outrage every principle of common sense to say that he who insists upon a usage to be exerted for his own benefit and pleasure, should himself determine whether the custom is of that nature, that it ought to have the force of law. It surely cannot be necessary to inform the reader, to shew the propriety of this reasoning, that the learned Selden in his Jud. Parl. 11, says, "They cannot be Accusers and "Judges." And this principle, that none can be judges of their own rights, is so manifest, that I remember it is laid down by a very respectable and learned authority, I believe in Rolle's Abridgement, that if an act of parliament, as it cannot change the laws of nature, says a man shall be judge in his own cause, it shall be void. Upon what ground therefore can either branch of the legislature claim a privilege which, if no written law opposed it, would be completely at variance with the natural principles of law and justice? When I hear a current of authorities quoted in different reigns in support of the powers of the House of Commons to detain in prison, and the incompetency of any tribunal to enquire into the legality of the commitment or detention, I cannot help reflecting upon the times when the greater part of these precedents are found to have been made. I cannot but remember the unsettled state of a House of Commons at such periods, and the struggles the people were making against the power and encroachment of the Royal Prerogative; I cannot forget either that Judges held their situations under a most precarious tenure, and that many decisions are discoverable in remote books of authority, which no man at the present day would hesitate to condemn as corrupt, and contravening the known, acknowledged, and immutable principles of Justice. Under such circumstances should much be yielded to precedent, when the principle laid down is unsatisfactory in reason, and opposite to the familiar maxims of those laws under whose influence we are kept together in society, and our actions regulated? In a recent Case of the Queen (Anne) v. Paty, in Salkeld's Reports, certainly the Judgment of the Court of King's Bench was in favour of the right now exercised by the House of Commons; but it is matter of serious consideration, that the Judges were not unanimous, and that three who assented, contented themselves to assert the right unaccompanied by any argument to shew either its propriety, or upon what authority founded: and that the Judge who differed, stands higher in public estimation as a lawyer, and a man of talent, than either of his coadjutors; or than many of his predecessors or successors; that he condescended to use arguments which were unanswered; and that that Judge (Holt) said, "When the House of Commons exceed their legal bounds and authority, their acts are wrongful, and cannot be justified more than acts of private men." Indeed, can there want a Holt to tell us what seems intuitive; and yet must the House have the right of exceeding all bounds, all authority, if there be no means of ascertaining their powers, but themselves who enforce their own decisions. If the present usage of the House be law, and their acts are inscrutable, and without redress, let me ask what would be the condition of the subject, if a corrupt house should exist, with a minister possessing sufficient influence to command a majority of votes in favour of his measures? Sir, I will not occupy more of your time upon this important question, than by observing, that with every disposition of respect towards the House of Commons; with every anxiety that their legitimate privileges should be uninvaded; I am yet to reconcile the privilege they claim, with the known laws of the land, or those principles of natural justice which are the cement of civilized society. I had omitted to observe, that it is said every Court of Record has the power of committing for Contempt; I admit this—the principle is clear and satisfactory. Every Court of Record is established to carry into effect the laws; and not to have the power of committal in cases of contempt, would be to allow an interruption of the administration of those laws:—the Court therefore, must, in furtherance of public justice, have the right of committal. I concede all this right to the House of Commons;—what I insist, is, that as every Court of Law is subject to have the legality of such commitment examined into by another Court, so ought the legality of a commitment of

the House of Commons to be traversed. The injury is not in the Commitment, but in the refusal to have the accuracy of such Commitment ascertained according to the law of the land, as in other cases established and exercised.———I am, Sir, &c. W. F. S.

March 29, 1810, *Lincoln's Inn.*

PROCEEDINGS AT THE RECENT NOMINATION OF MEMBERS FOR THE COUNTY OF CAMBRIDGE.

On Tuesday, the 13th of March, pursuant to public advertisement, the Freeholders of the county of Cambridge were convened at Cambridge, for the purpose of nominating a fit and proper person to represent that county in Parliament. The concourse of persons assembled was most numerous. The High Sheriff briefly stated the object of the meeting, and exhorted it by its orderly demeanor to exemplify the truest test of patriotism, and the proud characteristic of Englishmen.

The two Candidates and their friends were on the right and left of the High Sheriff, upon a small gallery in the front of the Rose Inn. When Mr. Yorke first made his appearance, the whole atmosphere resounded with cries of—*Off, off—clear the Gallery, clear the Gallery!*

Numerous placards, with these words, were then exhibited from the windows of the surrounding houses.

MR. KEENE first addressed the Freeholders. He stated that he presented himself to their notice for the purpose of proposing for their choice his right honourable friend near him, who had been five times the object of their selection. *(Cries of "Never again—We want no Placemen—Is it again to close the Gallery?")* He appears before you after a trial of twenty years; during the whole of which period he has unremittingly applied himself to the promotion of your interests. That opinion this county itself has pronounced by so frequently re-electing him, and did there exist any justifiable reason for now changing its conduct there could be no inducement which should compel him (Mr. Keene) to propose Mr. Yorke to their consideration. At all events, whatever differences of a political complexion may exist between some persons and his right honourable friend, sure he was that all would agree in testifying that zeal and attention which Mr. Yorke had uniformly manifested in promoting the local interests of the County of Cambridge. *(Cries of "No, No! even there he was a jobber.")* Mr. Keene concluded with proposing the right honourable Charles Yorke, as a fit and proper person to represent the County of Cambridge. *(Shouts of disapprobation mixed with partial applause.)*

Major PEMBERTON presented himself to second the nomination, agreeing perfectly in the opinion expressed by his worthy friend who proposed him. He had, however, to remark, that notwithstanding all the clamour which had been so industriously excited against his right honourable friend, Mr. Yorke stood at that moment upon as independent grounds as he ever did, upon any of the numerous occasions when the County of Cambridge thought him highly entitled to their support. *(No, no, no!)* He would repeat the sentiment, from the conviction that he had, that Mr. Yorke, even though a Teller of the Exchequer, would never abandon his sense of independence *(a laugh.)* If such a place had been offered to him coupled with any stipulations inimical to that sense of independence, he felt convinced that his right honourable friend would never have accepted of it. [The tumult of disapprobation became so great that the speaker was forced to conclude.]

MR. YORKE next presented himself, and for many minutes it was impossible to hear a single word. The cries of "Placemen" "clear the Gallery," and "turn him out," were re-echoed from one end of the area to the other. The High Sheriff at length entreated silence, so that each Candidate should be heard, and therefore afford the best means for forming a proper selection.

MR. YORKE trusted, that he did not presume too much, when he asked for a patient hearing. *(Off, off, we don't want you.)* That was the fifth time that he had been a Candidate, and upon no one occasion did he ever before observe the person who addressed them, refused a patient hearing. But, undoubtedly, from the mixture of the meeting before him he was not much surprized at his reception. They could not be the Freeholders of the County of Cambridge, indeed, one would be almost inclined not to consider them Englishmen, who would refuse to hear a man upon his defence. *(Off, off, your conduct is indefensible.)* It was quite impossible that any strength of lungs amidst such an uproar could command a hearing. I observe (said Mr. Yorke) many of the gen-

tlemen of the University at this meeting; had they studied, or at least practised the doctrine of Pythagoras, they would at least have appreciated more highly the value of silence. (The clamour became so great, that the right honourable gentleman became wholly inaudible.)

The Marquis of TAVISTOCK then offered himself to the notice of the meeting; but was for a short time interrupted by a small party of Mr. Yorke's friends, who, placed immediately under him, endeavoured to drown his voice.—The noble marquis spoke to the following effect:—Freeholders of the county of Cambridge; You are now called upon to exercise one of the most valuable privileges of Englishmen, to decide upon the merits or the demerits of those who, either upon public grounds, or for private objects, propose themselves for your choice, as your future Representative in the Legislature of this county. In forming a proper choice upon the present occasion, it behoves you to keep fully in your consideration all the circumstances which have led to the vacancy in your representation. The Constitution has wisely determined, that when a Member of Parliament accepts of a place of profit under the Crown, he shall be sent back to his constituents (in case he thinks proper again to come forward), in order that they may pronounce their judgment upon the propriety of his political course,—upon the motives which have appeared to guide it; but above all upon the particular acceptance of that place which in the spirit and letter of the Constitution, invalidated him from longer continuing in his representative capacity. These are the grounds upon which it is your duty to canvass the conduct of the right honourable gentleman (Mr. Yorke), and unless I am much mistaken upon each and all of them, you must, in a true exercise of the obligation you owe your country, pronounce his forfeiture to a re-election *(hear! hear!)* We have heard this day much of the private virtues of that gentleman. A stranger as I am to him, it would ill become me to deny or to doubt them. Indeed from what I have heard, I believe him to be most exemplary in all the relations of private life. Still these are not the qualifications which establish the claim to a public trust. It is not upon domestic qualities, but upon political principles and conduct, that freeholders should depend for the performance of those duties which they have a right to expect from the man to whom they entrust their representation.—Try Mr. Yorke by this criterion, and then judge of his present pretensions. Has he not been the uniform undeviating supporter of that Administration, under whom this country has been most lamentably affected in all its interests? an Administration, by whom the pressure of taxation has been increasing until it has become almost intolerable; an Administration under whom herds of foreign troops have been introduced into this country in defiance of every positive constitutional provision, and to the dangerous hazard of our rights and our security *(Hear! hear!)* —an Administration under whom the calamities of England, and the power of France, have advanced with equal force? Yes; amidst the active supporters of such a system, the right honourable Mr. Yorke will be found to be the most prominent *(Cries of hear, hear!)* Was he not the man to revive, upon a late public Inquiry, the old exploded cry of Jacobinical Conspiracy? Did that Inquiry furnish any proof in extenuation of such an unjustifiable expedient? Or, rather, did it not fully evince to the country, that such an effort was but an artifice to prevent the honest and unprejudiced opinion which the nature of the charges were calculated to produce? Such has been the public conduct of the man whom the Freeholders of Cambridge delegated as their Representative. What conclusion does it now enforce? It proves beyond controversy the necessity of your sending to parliament one who will take his stand on the broad ground of the Constitution—who will uphold our liberties, and contend for the laws and principles of our forefathers, against the excesses of popular violence on one hand, and the no less dangerous encroachments of the over-grown power of the Crown on the other. *(Hear, hear, hear!)* Can you expect to find such a guardian of your interests in Mr. Yorke? *(No, No!)* He who has been the supporter of the present Ministers—men who possessed themselves of official power by the most unfounded and degrading pretences, and who have used it only to tarnish the character and disgrace the Councils of their Country. Will you select him who availed himself of the Standing Order of the House of Commons (an Order enacted for far other purposes), thus depriving the people of this country of the slender and melancholy consolation of knowing who were the authors of the ca-

lamities under which they are labouring, of the accumulated miseries under which they groan, with a patience and a forbearance unexampled in the history of nations? When such have been the political acts of that right honourable gentleman, were the people of the country fully and fairly represented in Parliament, he might go from county to county, from city to city, from town to town, and would not get one single elective body to confide in him. Under these circumstances I feel myself called upon to recommend to your notice, and to propose for your choice, a friend to civil and religious Liberty, to the freedom of the Press, to the just security of the Throne, and the rights and liberties of the people —a decided enemy to faction and intrigue, to all the devices of peculators, to all the artifices of corruption, to that long catalogue of abuses which now obscure the fair form of the British constitution—I propose Lord Francis Godolphin Osborne.

The honourable Mr. BRAND stated his desire to second the nomination of Lord Francis Osborne [the honourable gentleman was here interrupted by an individual in the crowd exclaiming, "Off, off, you Jacobin]."

Mr. BRAND resumed. I am interrupted by a person not a freeholder. His name is Hodson, a printer in this town, and both from his conduct and his character, too contemptible to attract my notice, were it not for the expression he has now made use of. I tell him and his supporters, that I am no enemy to my country, that I am no Jacobin; indeed, the man seems as fully ignorant of the meaning of the terms which have fallen from him, as he is incapable of appreciating the value of that privilege which this meeting is summoned to exercise, and which that Mr. Hodson is so tumultuously endeavouring to interrupt [from the freeholders, cries of "drive Hodson out"]. At present, I shall content myself with simply seconding the nomination of the Noble Lord, wholly abstaining from any observation upon the political conduct of Mr. Yorke, unless he shall be allowed the opportunity of replying to what has been advanced.

LORD FRANCIS OSBORNE then came forward amidst shouts of applause, mixed with disapprobation, and assured the Freeholders that he would trouble them but for a very short time. He offered himself with the proud consciousness of wishing to be a servant of the people, and not a servant of the Court. The cause in which he stood forward, was not his, it was that of the country. He was merely the instrument to afford it the opportunity of performing a great public obligation. During the time he had been in parliament, he had the satisfaction to feel that he had honestly and patriotically done his duty, without any personal view—indeed it was well ascertained that his unshackled parliamentary conduct had been attended with private circumstances, not of the most beneficial nature. With respect to the local interests of the county, both from his age and inexperience, he could not be supposed to be as conversant with them as the right hon. gentleman, Mr. Yorke, but he trusted to supply the deficiency by an earnestness and a zeal not at all inferior to that which he understood was justly upon this point attributed to Mr. Yorke. During the period of his being in the House of Commons, although he sometimes concurred with Mr. Yorke, yet upon most great political questions, he felt it to be his duty to take an opposite side. Identified as he felt his success with the interests of the County of Cambridge, he had nothing to do but to commit the cause to their hands, and to confide in their support.

MR. GUNNING said, It is only once in seven years, that we can comment on the language and conduct of the Teller of the Exchequer without the risk of his sending us to *Newgate*. Let us not lose the opportunity, now we have him in a TANGIBLE SHAPE. It is not my intention to review the whole of his political career, that would be an unnecessary waste of your time, for the former part of his conduct, has been entirely of a piece with the latter, he has the merit of consistency and perseverance, but it is consistency in error, perseverance in doing wrong.—Of his early conduct, therefore, I shall merely observe, that of every oppressive and unconstitutional measure, of every measure, which had for its object to increase the burthens or diminish the privileges of the people, he was the zealous advocate. If the Liberty of the Press were to be restrained, if the Habeas Corpus Act were to be suspended, if our Fellow Creatures were to be hunted down with blood-hounds in the West Indies, or torture inflicted upon our fellow subjects in Ireland, the Minister was sure of the support of that right honourable gentleman: Of his conduct, when he filled two very important offices in the State, little need be said, for nothing very re-

markable occurred. In the character of Secretary at War, he produced what was called the incomprehensible Cavalry Bill, which you all remember, Gentlemen, for it annoyed and harrassed you most grievously, without contributing in the slightest degree to the defence of the country.—As Secretary of State, he advised and justified the disgraceful and ignominious Treaty of Amiens; yes, Gentlemen, that same Mr. Yorke, who but a very short time before had at a County meeting accused his Constituents of disaffection and jacobinism, for expressing their wishes for peace, that very Mr. Yorke, who preferred having his body cut into a thousand pieces to going down on his bare knees to France, that very Mr. Yorke, so valiant in the Castle Yard, so cowardly in the cabinet, did actually go down on his bare knees to France, and defended both here and in parliament, that base, that inglorious measure. About the same time he shewed his contempt for his Constituents, by exerting all the influence of the crown, all the influence of the bishop of Ely, all the influence of Lord Hardwicke, to exclude from the representation a member of that family so long and so deservedly dear to this county. But it is to his conduct, during the last sessions, I particularly call your attention, when an honourable, independent member (Mr. Wardle) with an intrepidity worthy of the cause in which he was engaged, took upon himself the awful responsibility of preferring the most serious charges against the Duke of York. What was the conduct of Mr. Yorke, he talked of a CONSPIRACY *(quoting his own words.)* Was it to be endured that such insinuations should be thrown out against a Member, who had offered to prove his allegations at the bar of that House, had mentioned the nature of his charges, and the names of his witnesses, with a candour, an ingenuousness, I may say incautiousness, which they did not fail to take advantage of. In spite, however of every artifice which a knowledge of the law enables bad men to practice to defeat the ends of justice, there were exposed to public view, scenes of the grossest corruption, of the most abandoned profligacy, of the most degrading meanness, of the most consummate hypocrisy. The contagion reached every department of the state, nor was the Church exempted from its baneful influence, for it was proved that not only subordinate situations, but even deaneries and Bishoprics, (which we foolishly believed, the rewards of piety and learning) were applied for through the intervention of a strumpet. A great majority in that House acquitted the Duke of York, and intended, it was said by some, to follow up that acquittal by a Vote of Thanks, for the manner in which he had discharged the duties of his high office. Luckily the mode of investigation they had thought proper to adopt, enabled every man in the kingdom to form his own opinion—the country, for once, spoke out, and the Duke resigned. What was the conduct of the Teller of the Exchequer during the whole of this important business, the most important that ever occupied the attention of the House of Commons? Was he not constantly assisting in all attempts to screen the Duke of York, to browbeat the witnesses, and to calumniate those who had the intrepidity and patriotism to stand forward as his accusers? Nay, he went farther than any one dared to follow him. He actually proposed the imprisonment of a witness during an adjournment, by way of caution, lest any one should have access to her. Gentlemen, this monstrous proposition was scouted even by Mr. Perceval, nor was there found in the House of Commons a single member hardy enough to second it. Gentlemen, if Mr. Yorke's motion had been acceded to, any of us attending as witnesses on an Inclosure Bill, might have been committed to custody for a week or a month, or as long as the House may think proper to adjourn. Since that time we have ever found him voting with the Minister; nay, when the Minister has been in a Minority, his faithful friend the Teller of the Exchequer has been constantly at his side. Every motion for enquiry into the late disastrous and calamitous Expedition he has constantly opposed, and when enquiry was at length resolved on, to deprive us as far as was in his power of the benefit of that Inquiry, he shut the door of the House of Commons, in the face of the people. Nay, that we might not mistake his motives, he expressly stated that he would have done the same in the Duke of York's business, if he could have foreseen the evidence that would have been produced.—Such are the public services of the right honourable Charles Yorke! Gentlemen, it would have been an entertaining thing to read the Bill delivered by the Teller of the Exchequer to his friend, the Clerk of the Irons, for work done and performed! The value of each article cannot be ascertained, but the sum *total* will be known to a farthing when we know the exact value

lamities under which they are labouring, of the accumulated miseries under which they groan, with a patience and a forbearance unexampled in the history of nations? When such have been the political acts of that right honourable gentleman, were the people of the country fully and fairly represented in Parliament, he might go from county to county, from city to city, from town to town, and would not get one single elective body to confide in him. Under these circumstances I feel myself called upon to recommend to your notice, and to propose for your choice, a friend to civil and religious Liberty, to the freedom of the Press, to the just security of the Throne, and the rights and liberties of the people —a decided enemy to faction and intrigue, to all the devices of peculators, to all the artifices of corruption, to that long catalogue of abuses which now obscure the fair form of the British constitution—I propose Lord Francis Godolphin Osborne.

The honourable Mr. BRAND, stated his desire to second the nomination of Lord Francis Osborne [the honourable gentleman was here interrupted by an individual in the crowd exclaiming, "Off, off, you Jacobin]."

Mr. BRAND resumed. I am interrupted by a person not a freeholder. His name is Hodson, a printer in this town, and both from his conduct and his character, too contemptible to attract my notice, were it not for the expression he has now made use of. I tell him and his supporters, that I am no enemy to my country, that I am no Jacobin; indeed, the man seems as fully ignorant of the meaning of the terms which have fallen from him, as he is incapable of appreciating the value of that privilege which this meeting is summoned to exercise, and which that Mr. Hodson is so tumultuously endeavouring to interrupt [from the freeholders, cries of "drive Hodson out"]. At present, I shall content myself with simply seconding the nomination of the Noble Lord, wholly abstaining from any observation upon the political conduct of Mr. Yorke, unless he shall be allowed the opportunity of replying to what has been advanced.

LORD FRANCIS OSBORNE then came forward amidst shouts of applause, mixed with disapprobation, and assured the Freeholders that he would trouble them but for a very short time. He offered himself with the proud consciousness of wishing to be a servant of the people, and not a servant of the Court. The cause in which he stood forward, was not his, it was that of the country. He was merely the instrument to afford it the opportunity of performing a great public obligation. During the time he had been in parliament, he had the satisfaction to feel that he had honestly and patriotically done his duty, without any personal view—indeed it was well ascertained that his unshackled parliamentary conduct had been attended with private circumstances, not of the most beneficial nature. With respect to the local interests of the county, both from his age and inexperience, he could not be supposed to be as conversant with them as the right hon. gentleman, Mr. Yorke, but he trusted to supply the deficiency by an earnestness and a zeal not at all inferior to that which he understood was justly upon this point attributed to Mr. Yorke. During the period of his being in the House of Commons, although he sometimes concurred with Mr. Yorke, yet upon most great political questions, he felt it to be his duty to take an opposite side. Identified as he felt his success with the interests of the County of Cambridge, he had nothing to do but to commit the cause to their hands, and to confide in their support.

MR. GUNNING said, It is only once in seven years, that we can comment on the language and conduct of the Teller of the Exchequer without the risk of his sending us to *Newgate*. Let us not lose the opportunity, now we have him in a TANGIBLE SHAPE. It is not my intention to review the whole of his political career, that would be an unnecessary waste of your time, for the former part of his conduct, has been entirely of a piece with the latter, he has the merit of consistency and perseverance, but it is consistency in error, perseverance in doing wrong.—Of his early conduct, therefore, I shall merely observe, that of every oppressive and unconstitutional measure, of every measure, which had for its object to increase the burthens or diminish the privileges of the people, he was the zealous advocate. If the Liberty of the Press were to be restrained, if the Habeas Corpus Act were to be suspended, if our Fellow Creatures were to be hunted down with blood-hounds in the West Indies, or torture inflicted upon our fellow subjects in Ireland, the Minister was sure of the support of that right honourable gentleman: Of his conduct, when he filled two very important offices in the State, little need be said, for nothing very re-

markable occurred. In the character of Secretary at War, he produced what was called the incomprehensible Cavalry Bill, which you all remember, Gentlemen, for it annoyed and harrassed you most grievously, without contributing in the slightest degree to the defence of the country.—As Secretary of State, he advised and justified the disgraceful and ignominious Treaty of Amiens; yes, Gentlemen, that same Mr. Yorke, who but a very short time before had at a County meeting accused his Constituents of disaffection and jacobinism, for expressing their wishes for peace, that very Mr. Yorke, who preferred having his body cut into a thousand pieces to going down on his bare knees to France, that very Mr. Yorke, so valiant in the Castle Yard, so cowardly in the cabinet, did actually go down on his bare knees to France, and defended both here and in parliament, that base, that inglorious measure. About the same time he shewed his contempt for his Constituents, by exerting all the influence of the crown, all the influence of the bishop of Ely, all the influence of Lord Hardwicke, to exclude from the representation a member of that family so long and so deservedly dear to this county. But it is to his conduct, during the last sessions, I particularly call your attention, when an honourable, independent member (Mr. Wardle) with an intrepidity worthy of the cause in which he was engaged, took upon himself the awful responsibility of preferring the most serious charges against the Duke of York. What was the conduct of Mr. Yorke, he talked of a CONSPIRACY *(quoting his own words.)* Was it to be endured that such insinuations should be thrown out against a Member, who had offered to prove his allegations at the bar of that House, had mentioned the nature of his charges, and the names of his witnesses, with a candour, an ingenuousness, I may say incautiousness, which they did not fail to take advantage of. In spite, however of every artifice which a knowledge of the law enables bad men to practice to defeat the ends of justice, there were exposed to public view, scenes of the grossest corruption, of the most abandoned profligacy, of the most degrading meanness, of the most consummate hypocrisy. The contagion reached every department of the state, nor was the Church exempted from its baneful influence, for it was proved that not only subordinate situations, but even Deaneries and Bishoprics, (which we foolishly believed, the rewards of piety and learning) were applied for through the intervention of a strumpet. A great majority in that House acquitted the Duke of York, and intended, it was said by some, to follow up that acquittal by a Vote of Thanks, for the manner in which he had discharged the duties of his high office. Luckily the mode of investigation they had thought proper to adopt, enabled every man in the kingdom to form his own opinion—the country, for once, spoke out, and the Duke resigned. What was the conduct of the Teller of the Exchequer during the whole of this important business, the most important that ever occupied the attention of the House of Commons? Was he not constantly assisting in all attempts to screen the Duke of York, to browbeat the witnesses, and to calumniate those who had the intrepidity and patriotism to stand forward as his accusers? Nay, he went farther than any one dared to follow him. He actually proposed the imprisonment of a witness during an adjournment, by way of caution, lest any one should have access to her. Gentlemen, this monstrous proposition was scouted even by Mr. Perceval, nor was there found in the House of Commons a single member hardy enough to second it. Gentlemen, if Mr. Yorke's motion had been acceded to, any of us attending as witnesses on an Inclosure Bill, might have been committed to custody for a week or a month, or as long as the House may think proper to adjourn. Since that time we have ever found him voting with the Minister; nay, when the Minister has been in a Minority, his faithful friend the Teller of the Exchequer has been constantly at his side. Every motion for enquiry into the late disastrous and calamitous Expedition he has constantly opposed, and when enquiry was at length resolved on, to deprive us as far as was in his power of the benefit of that Inquiry, he shut the door of the House of Commons, in the face of the people. Nay, that we might not mistake his motives, he expressly stated that he would have done the same in the Duke of York's business, if he could have foreseen the evidence that would have been produced.—Such are the public services of the right honourable Charles Yorke! Gentlemen, it would have been an entertaining thing to read the Bill delivered by the Teller of the Exchequer to his friend, the Clerk of the Irons, for work done and performed! The value of each article cannot be ascertained, but the sum total will be known to a farthing when we know the exact value

of Mr. Yorke's sinecure—Gentlemen, if you suppose it required any extraordinary talents to do all this, you are mistaken; Mr. Yorke first tried the Law, which business he soon quitted. He then set up as Parliament man, and making use of your credit and your capital, this has turned out a very profitable concern; but from you, Gentlemen, he derived all his importance, for by making him a County Member, you enabled him to assume the title of an independent country gentleman. You appointed him a guardian of the public purse; in that character he has behaved as you have seen, and now, with your money in his pockets, he has the hardihood to require you to place him again in the same situation. Gentlemen, I am like, most of yourselves, a plain farmer, and I ask you this plain question. If a Shepherd whom we had appointed to watch the flock, had not only suffered another to steal the sheep, but had actually feasted with him on the mutton, and clothed himself with the wool, should afterwards have the effrontery to ask us to take him again into our service, what would be our answer? "No, you deceived us once, it will be our own faults if you deceive us a second time." Such, I trust, will be our answer to Mr. Yorke. Some of the right honourable gentleman's friends, whilst they lament his conduct, attempt to palliate it, by pleading his good intentions, and ascribing it to an error in judgment—Gentlemen, without affecting a very high opinion of his abilities, I must defend him from this charge of weakness and incapacity. If his object were to obtain your esteem, then his conduct has been most injudicious; but if his object was to serve himself, then, if judgment consists in making use of the most likely means to gain the end proposed, then, the Teller of the Exchequer is the most judicious man living. Gentlemen, I thank you for your indulgence, I have discharged my duty. I am persuaded you will not fail to discharge yours.

Mr. Yorke, after some exertions, was allowed to enter into an explanation of his public conduct. He denied that he had ever brought forward the Cavalry Bill alluded to, or that he was a Member of the Cabinet at the conclusion of the Treaty of Amiens. He complained that every thing he said in the House of Commons was misrepresented; and he was ready to say then, as he stated before, that there was a Conspiracy amongst the Editors of the London press to misrepresent a great many of the Members of the House of Commons to their Constituents. He could appeal to Mr. Brand, to the Marquis of Tavistock, whether, at this moment, there existed not a Conspiracy among them not to report the speeches of Mr. Tierney and Mr. Windham [*A laugh.*—"Is that the conspiracy against the House of Brunswick?"] The conspiracy against the Duke of York was proved in a Court of Justice upon a recent trial, where Mr. Wardle, Glennie, and Dodd were implicated. With respect to the vote given by him upon the case of his Royal Highness, it was truly conscientious; and were he now upon his oath he would acquit him from any criminal connivance and participation. Much had been said upon the Standing Order of the House of Commons. It was not merely intended, that because the Gallery was sometimes open to strangers, that therefore the people of England had a right to be present at every discussion of their Representatives; in such case, in place of St. Stephen's Chapel, Parliament should be assembled upon Salisbury Plain. These Orders of the House were settled shortly after the Revolution, by those great men whose conduct it would be always his pride to imitate.—His object in enforcing that Order, at the present, was to guard against the gross misrepresentations, the gross mistakes, and he would say, the wilful misrepresentations given of the proceedings of the House of Commons. He wished also to be considered as by no means hostile to an inquiry into the late Expeditions, though he opposed motions which were substantially a condemnation before inquiry. It was not necessary for him to enter into any defence of his general conduct ["No indeed!"] He had ever been the active opposer of those who either at home or abroad, were endeavouring to destroy the greatness of Old England [Cries—"Off, off! no mock loyalty, no cant."] As much misrepresentation was circulated about the nature of the office which it had pleased his Majesty [not his Majesty, but his Ministers] to confer upon him, he begged to say that it was an ancient and honourable one, regulated by acts of Parliament, and not paid, as was industriously stated, out of the public taxes. The salary was made up by small fees levied upon every issue of money from the Exchequer, and did not amount to more than 2,300*l.* per annum. If the objection now against him was to his holding a place, then if that

principle was true, it was impossible that some of the most efficient officers in the state could sit in the legislature; a position, the impropriety of which it was needless to illustrate. He had heard that his exertions in Eaubrink Fen had offended some of his former supporters.—[A Freeholder from the body of the Meeting stated, that it was true, for his own part his property had been without notice affected. He had by that cut paid already 150*l.* and was now in arrears 71*l.*—*Mr. Yorke.* I had no personal object to answer, and I am confident every notice was given.—*The Freeholder.* There was no notice either to me or my neighbours. It was smuggled through in the dark. It was a mere job.]—Mr. Yorke concluded by thanking the meeting for the favourable hearing he at length got, and assured them, that if in his public course he had been mistaken, it was an error in judgment *(murmurs, and cries—off, off, off).*

Mr. Brand briefly replied to some of the observations of the last speaker. He observed, that between the persons whom Mr. Yorke supported, and those to whom he (Mr. B.) was attached, there was this distinguishing characteristic, that the friends of the Right Honourable Gentleman were ever endeavouring to excite one part of the people against the other. To propagate suspicions of disaffection and treason—to excite Englishmen against Englishmen, was a permanent unvarying part of their policy. With respect to what had fallen from Mr. Yorke, relative to the London Editors, he had to say, that he considered the publicity of the proceedings of the House of Commons, in the manner it was given, of the most material benefit and importance to the country. It was not only beneficial, but it was natural that the people should be acquainted with the attendance, the sentiments, and the votes of these men to whom they delegated such a sacred authority. Such an anxiety was to be expected at all times; but if ever there was a period when, at least, that gratification should be afforded to the country, it was at the moment, and upon the very subject which the Right Honourable Gentleman selected for enforcing the Order of exclusion, *(Loud applause.)* It was at the moment when the country stood aghast with astonishment at the multiplied calamities which had befallen it, when the bravest armies that ever left the British shore were almost annihilated, that the Right Hon. Gent. shut the door of the House, then proceeding into investigation of those evils, in the face of the people. When the public hope was directed to those proceedings, and every man was laudably and anxiously solicitous to ascertain the facts detailed in evidence, together with the opinions of the respective Members upon them—what danger could he possibly foresee by allowing the public wish? With respect to secrecy, a Committee had been already appointed, to whom all documents were referred, the communication of which might be dangerous to the public interests. At first it appeared to arise from the inveterate hatred which the Right Honourable Gentleman seems to have to publicity of all kinds; but what followed after he retired as the Teller of the Exchequer, fully proved that he acted only in accordance with the wishes of the Ministry. For, when precluded by his acceptance of place from continuing in his seat, who succeeded to the pleasing duty of expelling the public? The person who succeeded was one of the very administration, a Lord of the Admiralty (Lord Lovaine.) That fact was true and undeniable, and he that had not intellect to understand it, was almost incapable of conceiving any thing. The Right Honourable Gentleman, Mr. Yorke, was now a Placeman, but he was sorry to tell him, that when he took that place he forfeited every title to public character. A public character he once had, and he was sorry to see it so improperly sacrificed; because public characters were the best property of a nation.

The Rev. George Brown, Fellow of Trinity College, said, Gentlemen Freeholders of the County of Cambridge, I congratulate you upon the patient hearing which has at length been afforded to the right honourable Teller of the Exchequer. I have listened, together with yourselves, attentively to his defence, and I can only say, that if you are satisfied with that defence, you are the most easily satisfied of any Freeholders in any County in England. Gentlemen, what has been the nature of his defence? he has told you that his conduct has been misrepresented; that a conspiracy has existed among the newspaper reporters to misrepresent his speeches in parliament. Well, gentlemen, if the Editor of the Cambridge Chronicle, a tolerably strenuous friend of the right honourable gentleman, has misrepresented his speeches, I am very sorry for it. But his votes, gentlemen, have not

been misrepresented; they at least speak for themselves.——Did he ever sanction with his approbation, did he ever give his vote for any public measure, which had for its object either the relief of the people from their oppressive burdens, or the repeal of any act which bore upon their rights and privileges? *(cries of never, never.)* Gentlemen, I have your answer; and I will now ask, is there any measure which tended to encroach upon your constitutional freedom, but what has been sanctioned by his vote? I will boldly answer none. But gentlemen, to have done with misrepresentations, when the fact is clearly established; he has told you that if he did wrong, it proceeded from an error in judgment, and this not once or twice, but often; so then for twenty years, gentlemen, you have been content to be represented by one who has all along acted from an error in judgment! and is he to be again the representative of your choice? Such, gentlemen, are the points of his defence to which, as they had not been noticed by the honourable speaker who preceded me, I thought it right to call your attention. But during the two last Sessions of Parliament what has been the conduct of the right honourable gentleman? has he not given all his influence and all his ability to support a weak, a profligate, a contemptible administration? an administration, which came into power by means of a religious outcry; a detestable cry, which was raised but too fatally and effectually in this place, but, which I trust in God, will never be heard of more. And how has this administration shewed its zeal for the sacred cause of religion? did not two of the principal and most efficient members of it, regardless of the laws of their country, and the laws of their God, challenge, and openly meet each other in single combat? and have not the public measures of this administration reduced us to the lowest ebb? There was a time when the power of France was slighted and scorned by us; but now it presents an aspect, which alarms and intimidates; it is no longer for glory that we are fighting, but for our chance of existence as a nation. And yet these are the men, whom the right honourable gentleman has supported, and, whom it appears to be his fixed intention to support! If then, gentlemen, you are desirous to return to the good, old, sound, whig, constitutional principles, by which your forefathers were moved and animated; and by which they raised themselves and their country to a proud pre-eminence, reject Mr. Charles Yorke; if you wish to rescue your county from the imputation of being a mere dependant borough, reject Mr. Charles Yorke; if you wish to mark with your disapprobation the conduct of the present ministry, reject Mr. Charles Yorke. And, above all, if you wish to see established a firm, vigorous, efficient administration; one which, while it possesses the confidence of the people, shall shew itself not unworthy the favour of the monarch, reject Mr. Charles Yorke; crown with your suffrages the upright and independant Candidate who now stands forward in your defence; secure, I say, the Election of Lord Francis Godolphin Osborne, and close the avenues of corruption for ever.

The Marquis of Tavistock. In answer to what has fallen from the right hon. gentleman (Mr. Yorke), I beg leave to say, that if he had boldly and manfully accepted a constitutional place in the Councils of his Sovereign, his conduct would not be exposed to the animadversion which it is this day. In such case the country would be secured in some degree by his responsibility, and he himself would have the satisfaction to feel that if at any time a difference of opinion should take place between him and his official colleagues, it would be open for him to resign his place, and to conform to the dictates of his own judgment. But he now stands in a quite contrary situation. He is the hired advocate of Ministers, and has received his retaining fee *(reiterated applause)*. He must now defend their errors and palliate their ignorance. He cannot abandon them without incurring the imputation of that worst vice of which human nature is susceptible—ingratitude *(loud cheering.)*

The High Sheriff then put the question, when on a shew of hands the numbers were in a proportion of ten to one in favour of Lord Francis Osborne. Mr. Yorke's friends demanded a poll, which was fixed for Friday the 16th; but on that day Mr. Yorke thought fit to decline the contest, and Lord Francis Godolphin Osborne was declared duly elected the Representative of the Freeholders of the County of Cambridge.

Published by R. BAGSHAW, Brydges-Street, Covent-Garden:—Sold also by J. BUDD, Pall-Mall,
LONDON:—Printed by T. C. Hansard, Peterborough-Court, Fleet-Street.

COBBETT'S WEEKLY POLITICAL REGISTER.

VOL. XVII. No. 14.] LONDON, SATURDAY, APRIL 7, 1810. [Price 1s.

THE GREAT LORD CHATHAM.

MR. PITT, when contending for a Reform in Parliament, in 1782, told the House, that he personally knew, that it was the opinion of his father, that, "without recurring to first principles in this respect, "and establishing a more solid and equal representation of the people, by which the proper constitu- "tional connection should be revived, this nation, with the best capacities for grandeur and happiness "of any on the face of the earth, must be confounded with the mass of those whose liberties were lost "in the corruption of the people."

MR. PITT.

"THE defect of representation is the national disease; and unless you apply a remedy directly to "that disease, you must inevitably take the consequences with which it is pregnant. Without a Par- "liamentary Reform the nation will be plunged into new wars; without a Parliamentary Reform you "cannot be safe against bad ministers, nor can even good ministers be of use to you. No honest "man can, according to the present system, continue minister."——MR. PITT'S SPEECH, 1782.

SUMMARY OF POLITICS.

JUBILEE PARLIAMENT.——That House, that Honourable House, that self same Assembly, that far famed body of men, who, in the blessed forty ninth year, even in the year of Jubilee, refused to censure the Duke of York, and also refused to censure Lord Castlereagh, and even to inquire into the conduct of Henry Wellesley, and Mr. Perceval, all three of whom stood distinctly charged with having trafficked in Seats in that same Honourable House; that House, that Honourable House, has, at last, come to a decision, relative to the policy and conduct of the *Walcheren Expedition*; and, that decision is, that the ministers, who planned the Expedition, who sent it forth, and who kept it there so long, are not only *not worthy of censure* for this part of their measures, but, on the contrary, *worthy of praise*.——An Inquiry, at the bar of the House, has been going on ever since the beginning of February. The evidence being closed about a fortnight ago, the members of the Honourable House began, last Monday week, their *debates* upon it, which debates they closed on the following Friday, March the 30th, when they divided as follows:

For *censuring* the undertaking of the Expedition	227
Against such censure	275
Majority for the Ministers	48
For *approving* of the undertaking of the Expedition	272
Against such approbation	232
Majority for the Ministers	40
For *censuring* the keeping of our soldiers so long in Walcheren	224
Against such censure	275
Majority for the Ministers	51
For *approving* of the keeping of our Soldiers so long in Walcheren	253
Against such approbation	232
Majority for the Ministers	21

There is no occasion for *me* to say much upon this subject, at least, by way of comment upon either the *debatings* or the *votings*. As to the debatings, the mind of every man in the country was made up, long before, very long indeed before those debatings began; and, as to the votings, they speak for themselves, and, in most eloquent and convincing language do they speak.—— But, the result of this grand parliamentary conflict is very interesting as an illustration of certain doctrines, held by the most strenuous opponents of Parliamentary Reform. I, for my part, do not think it worth while to give any opinion upon, or to say a word about, the dreadful Expedition to Walcheren, in any other way than as the result of the Inquiry, respecting it, bears upon the grand question of *Domestic Reform*, without which, a great majority of the nation is convinced, no change of ministers would give us a chance of any permanent good to the country at large.——The men, who oppose the present ministers, are also the opponents of *us*, who are for a Reform, without which we expect no good, and without which we hold most decidedly, that no good can come to us, worthy of a moment's atten-

tion. To be sure, both parties, the INS and the OUTS, are opposed to such Reform; but it is, at present, only the OUTS that make representations respecting the conduct of the Honourable House; and, therefore, it is with them, that we have now more immediately to do.——There are two notable pieces, upon record, coming from the mouths and the pens of these our adversaries. The first is a *Speech of Mr. Ponsonby*, and the second, *an article in the Edinburgh Review*.——Mr. Ponsonby is looked upon as Captain General of the regularly disciplined and embodied army of Opposition; and, the Edinburgh Reviewers may be regarded as Auxiliaries in the same cause, the very heart's blood and soul of which, is, a prospect of *place and profit*.——Mr. Ponsonby, at the time when Mr. Madocks made his motion for an Inquiry into the *selling of Seats*, both voted and spoke *against inquiry* into the conduct of Lord Castlereagh and Mr. Perceval, though Mr. Madocks pledged himself to prove the truth of his charge. So far from appearing to think, that the country ought to be dissatisfied with that refusal to inquire, Mr. Ponsonby appeared to think, that the country had no right to meddle with such matters; and, the Honourable House resolved, 310 to 85, *that they would enter upon no inquiry into the matter*.—— Very well: but, now, *bearing this in mind*. let us hear what Mr. Ponsonby said about *inquiry*, relative to the Walcheren Expedition. His words are of great importance here. They are, remember, words coming from one of those, who voted *against inquiry*, when the Charge, against the very same ministers, was, having sold, actually sold, Seats in Parliament.—— "An Inquiry," he said, "was indeed ne- "cessary: not however to ascertain whe- "ther the Expedition was a calamity or "not, but to ascertain to whom the ca- "lamity was imputable. This was the "only object of the proposed Inquiry, "and condemnation would of course fol- "low the discovery. Condemnation of "the culprit, whoever he might be, was "indeed imperiously demanded,—"The "enemy has declared (said Mr. Pon- "sonby) that the Genius of France con- "ducted the British army to perish in "the pestilential marshes of Walcheren." "No; it was not the Genius of France, "but *the Demon of England*—a weak, "divided, distracted, and incapable ad- "ministration; ill thought of by all, and "suspected by themselves; contemned "by the country, and divided against one "another; their very leader—he who "commanded the finances of the nation, "declaring himself innocent *because he* "*was ignorant*. Behold the picture of a "British Ministry! Why should Buo- "naparté wage hostility against the coun- "try of which such men are the Minis- "ters? What need has he of his great "power and talents to cope with their in- "sincerity to themselves, and their inca- "pacity in their offices? men who were "unanimous that their inefficient colleague "should be dismissed, yet allowed him to "remain in power—allowed him to con- "duct the greatest Expedition which "ever left our coast, on which the eyes of "England were fixed, and the fate of "Europe depended—*lest they should hurt* "*his feelings!* Men who were content to "send our brave soldiers to their grave— "content to squander the treasures of the "country—content to tarnish our national "name, in the hope of finding some co- "lourable *pretext for reconciling the Noble* "*Lord's feelings to his incapacity!* Where "was their consideration for the honour "of their country? Where for the fame "of the army? Where for the feelings "of the people who had committed such "a trust into their hands? and yet now "is it to be endured, that one of those men "should be transferred to the head of the "present Administration, and demanding "the confidence of that house, desire it to "abstain from all inquiry into their mis- "fortunes, till *he* should think proper to "give it his information. We have in- "deed experienced many calamities. "We have tolerated innumerable suffer- "ings and privations; but if this demand "is this night acceded to; if such a mi- "nister obtains the confidence of this "house, then *malignant* men enough may "be found in the nation, to pronounce its "greatest calamity—SUCH A HOUSE OF "COMMONS!"——Very well, the Honourable House has now enquired, and *decided*. They have decided, too, that there was no ground for *censure*; and, instead of censure, that there was ground for *approbation*. The House have decided, not only that the sending forth of the Expedition was not wrong, but that it was right, and that it was *right* also to keep the Soldiers in Walcheren, after the sickness began to make its dreadful ravages. Now, then, upon *what ground* is it that Mr. Ponsonby and his party can call upon the *people* to make applications *for the removal*

of those ministers, who planned, executed, and persevered in the Expedition? Ground enough upon the principles of the *Reformists*; but, upon no other principles whatever.——But, now let us hear the EDINBURGH REVIEWERS, who abused the Reformists, and who, in their very last Number, have represented them as little better than *anarchists*. These Reviewers, who have been but very little, other than mere political partizans; mere tools in the hands of the Opposition; these men, some of whom have been stuffed into the Honourable House and into places, have been the most active opponents of Reform of Parliament. Let us now, therefore, hear what they said, when they were looking forward to the result of the Inquiry which has now taken place.—The passage, which I am about to insert, is from "Remarks upon the Conduct of the War" published by them in the Number for October last. ——"They" (the partizans of the ministers) "have admitted all their failures to be "complete and fatal; they have con- "fessed, that the opportunities which they "have lost will in all likelihood never re- "turn. After a few wretched attempts "to divide the blame among themselves, "in shares different from those in which "the country is disposed to apportion it, "they have been compelled to allow that "among themselves it must all be divid- "ed, and upon them alone must the re- "sponsibility rest. They have not dared "to deny, that the prospects of the Con- "tinent are become more dismal than "ever; that its confidence in England is "gone; that the map of Europe, from "Moscow to Paris, and from Lapland to "Calabria, offers to the eye only a col- "lection of States, aggrandized by her "hostility, or ruined by the perilous "bounty of her alliance. Abroad and "at home—which way soever the eye "can turn, our rulers have amply admitt- "ed, that our affairs are only not despe- "rate, and have themselves come for- "ward to declare, that the empire is re- "duced to a state of difficulty, from which "there can be at least no precedent of "its ever having escaped in former times. "And after all these confessions, their "only excuse, the only attempt they "make to regain the confidence of the "people, is to tell us, "*that the King has* "*reigned fifty years.*" They have ruined "our allies; they have failed in every "plan: they have brought us through "slaughter and disgrace, loaded with ig- "nominy, and weighed down with almost "intolerable burdens—to the very brink "of destruction:—'but the King is very "old,' and 'he has reigned above half a "century.'—It now remains to be seen, "*whether that* PARLIAMENT, *which stands in* "*no need of reformation—which is a fair* "*representative of the people of England—* "*which speaks the sentiments of the country* "—will be satisfied with this set-off; "and once more acquit the Ministers of "all blame for their recent mismanage- "ment. Holding, in common with the "Parliament itself, the doctrine of its "purity and of its sufficiency to save the "State, we cannot anticipate such a de- "cision. But *if*, unhappily, we should "find ourselves mistaken; if, again, every "measure and every minister be covered "over with its approbation, *then we will* "*venture to predict, not that the Government* "*is acquitted, but* THAT THE PARLIA- "MENT STANDS CONDEMNED; and "we shall most unwillingly *be compelled to* "*appear in the foremost rank of those who* "*must acknowledge that they are convinced* "*and converted.* For it is needless to dis- "guise the matter. A refusal *to punish* "the authors of our misfortunes can only "mean one of two things—either that "there has been no blame incurred—or "that it is inexpedient to declare it, be- "cause such a resolution would drive the "guilty persons from the Government. "In the one case, the Parliament will "show that it is not the Representative of "the Country; in the other, we shall have "a conclusive proof that the Ministers of "the Crown are irremoveable. The *re-* "*sponsibility of her rulers*, that fairest fea- "ture in the theory of the Constitution, "will be *no longer even a name*, wherewithal "to round parliamentary periods; and "the people will *thenceforward* recognise, "in the great Council of the Nation, *not* "*the guardian of their interests, and the* "*champion of their rights, but a well contrived* "*instrument of taxation.*—The consequences "of such a decision, therefore, will be "productive of incalculable mischief; it "will *complete the alienation of the Coun-* "*try from the Government, and shame away* "*the boldest defenders of the present system.*" ——This was what they said. These were the words of a set of writers, who, in their very last Number, have had the impudence to talk about what they call the *violence* of SIR FRANCIS BURDETT and his followers; and who have had the duplicity, in that same Number, to call upon

the Whigs to step forward, and save the country from that violence, which, they affect to believe, is likely to tear the "monarchy" to atoms.——I beg the reader to observe here, that this article was published before the parliament met, and, of course, before any inquiry could have been *begun*. These writers say (before the inquiry has been begun) *if the parliament does not punish the ministers*, we will then say, that the parliament itself is a corrupt and worse-than-useless body. These gentlemen wish the ministers to be *punished;* and, if the parliament should not punish them, they say, that, in such case, they predict, "not that the govern-"ment is *acquitted*, but that *the Parlia-*"*ment stands condemned;* that *responsibi-*"*lity will no longer exist, even in name;* that, "thenceforward the people will recog-"nize, in the great council of the nation, "not the guardian of their interests and "the champion of their rights, but a *well-*"*contrived instrument of taxation;* and that, "the consequences of not punishing the "ministers will be productive of incalcu-"lable mischief, and will *complete the ali-*"*enation of the country from the government,* "*and shame away the boldest defenders of the* "*present system.*"——Well; the ministers are not punished by the parliament. They are not only not punished, but not censured. Nay, the very acts, for which the Reviewers say they ought to be punished, have received the *approbation* of parliament.——Oh! how I long to see the next Number of the Edinburgh Review! What will its authors *now* say? Will they now assert positively what they before asserted conditionally? Or will they eat their words as fast as decency will permit? The wary loons thought there was no danger in their predictions of October last; they thought they were quite sure, after the pistolling match of the privy-counsellors, that the ministry could not stand; they themselves had not the smallest idea of the vast powers of that influence, which they had before described as necessary for the support of "our goodly "fabric" of government; they wrote, in fact, just after the Putney Heath duel had taken place, at a moment when all the shallow-brained politicians looked upon a total change of ministry as certain; or, never would they have written as they did.——But (addressing myself now *to them*,) Gentlemen, will you now *stand to your word?* Will you now say, "that "*the Parliament stands condemned;* that "*responsibility is a complete sham;* that the "Parliament is not the guardian of the "people's interests and rights, but merely "*a well-contrived instrument of taxation;*" and that the recent decision *has com-*"*pleted the alienation of the people from the* "*government?*" Will you *now* say this? Your answer is uncertain; but, one of three things is very certain; namely, that you will now make this charge against the Parliament, or that you will retract your charges against the ministers, or that you will prove yourselves to be amongst the very basest of mankind.——If the first, then you have something more to do, in fulfilment of your promises to the public. You have then openly and zealously to join those, who call for a Reform of the Parliament; you have then to "appear "in the *foremost rank* of those, who must "acknowledge *that they are convinced and* "*converted.*" Welcome you certainly will be unto us; but, let us hope, that we shall hear no more of that fine-spun politico-philosophy, which discovered so many beauties in corruption.——Now, as to the *decision itself*, which is, at the same time, a decision in favour of *the ministry's continuation in power*, what is it to the nation, unless some prospect of *better treatment* had been held out by the Opposition? During the whole of these long debates, not a man of them has, that I have heard of, expressed one single sentiment in favour of the people. They have made no advances towards the people: but, on the contrary, have pretty clearly demonstrated, that they still entertain all those feelings and views, which, on the ever-memorable 12th of May in the year of Jubilee, induced them to echo back the cry of "*Make a Stand!*" Make a stand! "It "is time to make a stand *against popular* "*encroachment!*" Popular encroachment! Yes, they did, both sides of the Honourable House did, call it "popular encroach-"ment," when a member offered to prove, that the king's servants had *sold a Seat* in that House: the open, fair, explicit declaration, that this offence had been committed, and an offer to give *proof* of it at the bar of the House; this was termed "*popular encroachment,*" and the House, 310 to 85, voted that the member's proofs should *not* be produced at their bar.—— Borne down, as the people have been, still they have some recollection; and, "while memory holds her seat" in their brain, never will they, or can they, forget the treatment they received in the night

of the 11th and the morning of the 12th of May, in the year of Jubilee. Let any man, who has the common feelings of a man, look back to the proceedings of that night, as they stand recorded in Vol. XV, page 737, of the POLITICAL REGISTER, and then wonder, if he can, that the people care nothing at all about which party is in power.——"The peo-"ple *do not stir,*" say the OUTS; and, they have the impudence; the barefaced impudence; the profligate assurance; the base insolence, to ascribe this inactivity, on the part of the people, to the people's being *corrupt;* to the circumstance of corruption being "more *dense* at the *bottom* "than at the top." *Stir!* What should the people stir *for?*——The MORNING CHRONICLE of the 2nd instant, has an article, upon this subject, well worthy of notice.——"It was universally reported yes-"terday, that a change in his majesty's "councils is forthwith to take place; and "it is expected that the house will ad-"journ for a few days to give time for the "arrangement, and for the re-election of "the new ministers.—It may, however, "be only street report, and have its rise "in the deep conviction on the public mind, "that though with *an apparent* majority on "Friday night ministers were in *reality* "*beaten.* Whatever may be their deter-"mination on the event of the inquiry, "whether pertinaciously to adhere to office "as they are, or by some miserable "changes of place, or by some disgrace-"ful compromises of principle, to make "up a hotch-potch of *convicted impudence* "with *tried delinquency,* it is high time *for* "*the counties and great cities* of the united "kingdom *to meet and carry their case of* "*the public situation of the empire to the feet* "*of the throne,* as the last means of retriev-"ing his majesty's affairs, and effecting "the salvation of the empire."——One can hardly say, positively, what is meant by the Counties and Great Cities meeting and "*carrying their case of the public situa-*"*tion of the Empire* to the feet of the "Throne;" but, if the English of it be, as I suppose it is, that it is high time for the Counties and Great Cities to meet and petition the King to turn out the INS and put the OUTS in their places, the Morning Chronicle may be perfectly satisfied, that the Counties and Great Cities will do no such thing; until the OUTS shall give the people a *specific pledge,* that they will do their utmost to procure a Reform in the Representation of the people. This is the condition, and the *sole condition,* upon which the people can be prevailed upon to "*stir*" in favour of any set of public men.——What does Mr. Perry say in this very paragraph? Why, he says, in plain meaning, that the ministers have been *convicted of impudence,* and that they are *tried delinquents.* Well! If this be true; and if the House have, nevertheless, *acquitted* them, and, not only acquitted them, but expressed *its approbation of their conduct;* if this be so: if Mr. Perry's description be a true one, *for what* would he have the people stir? "To carry "their *case* of the public situation of the "Empire to the feet of the Throne." But, what is this? Why use this law-like jargon, if not for the purpose of disguising the real meaning? "The *case* of the *public* "*situation* of the Empire." And why the pompous word *empire?* It is a *kingdom* that we live in and no Empire. Our sovereign is a *king* and no Emperor. But, of late days, "our Geese are all become Swans." Our language is fast becoming sublimated out of its senses. Every one above a mere handicraftsman is an "*esquire;*" the women down to the very scullion wenches, are all "*the ladies;*" and our country, which has enjoyed so much happiness and renown under the title of *Kingdom,* is now, it seems, to be called an *Empire:* and, we have, God preserve us! an "IMPERIAL PARLIAMENT!" ——To return from this digression, into which I was dragged by the use of the word *Empire,* for *what,* I again ask, should any of the people stir, in the way of petition to the throne, if the ministers, who have been *approved* of by the House of Commons, really be what Mr. Perry has described them to be? What would be the use, in that case, of petitioning *against the ministers?* What good purpose could it answer? what *sense* would there be in it? ——I mean no disrespect towards Mr. Perry; but, really, there does not appear to me to be common sense in the proposition. Let us *try* it a little. Petition the King. The Counties and Great Cities are called upon to bestir themselves; they are told, that it is "high time" for them to go to the feet of the Throne with petitions; but, for *what?* What are the Counties and Great Cities to ask at the hands of their king? Why, MR. PERRY clearly wishes them to ask for the dismission of the present ministers. The king's answer would, doubtless, be: "No; I cannot think of "that, because the House of Commons, "*your representatives,* have, after a month's

"inquiry, and a week's debating, decided, "that my servants have done nothing "wrong; and, instead of censure, your "said *representatives* have conferred on my "servants decided approbation." Would not this shut, would it not glue up, the mouths of the Counties and Great Cities? What man of them all would have the folly to pretend that such answer was not satisfactory?——Would you, Mr. Perry, say, in reply: "Yes, but, may it please "your Majesty, though your servants had "an *apparent* majority, they were, in "*reality*, beaten?" Perhaps you might say this, and, repeating the words of your own paper of the 3rd instant, you might add:——"That, when the list of the ma-"jority, who voted in favour of ministers, "on Saturday morning, is examined, it "will be found that the advisers of the "Expedition have no cause for triumph; "that the number of persons *holding political* "*offices*, those who held similar offices when "the Expedition was undertaken, together "*with persons holding places in the household* "*during pleasure*, and the *sons and bro-*"*thers of persons holding offices during plea-*"*sure* or relatives of the four Advisers, "amounts to SEVENTY-THREE; and that "there are also to be added to these, *Ge-*"*nerals on the Staff*, and *persons holding of-*"*fices immediately connected with Government*, "and the number of whom, as will be "seen by the list published yesterday, is "very considerable."——Whereunto the king would have no hesitation in answering in words somewhat to this amount:—— "Oh! so, then, it is not of my servants "that you do, in fact, complain, so much "as of my faithful Commons, and of my "people's representatives. And, not so "much of their conduct upon this occasion "as of *the manner in which the House of* "*Commons is constituted.* Your complaint "is, in fact, that the House contains a "great number of persons, who, from their "situations under the crown, must na-"turally be under the immediate controul "of my servants. This is a very cogent "reason for an application to me for a re-"commendation to the House to reform "itself; but, no reason at all for an "application to me to turn out my "present servants; because, whoever I "should appoint in their room would, if "your allegations be true and your in-"ferences fair, have just as many members "under their immediate controul as are "under the immediate controul of my "present servants; and, therefore, it is "as clear as the sun at noon day, that, as "far as relates to the subject of your pre-"sent application, *a mere changing of my* "*servants* would produce no public good, "no security, no chance of advantage, "nothing that would, in any degree, re-"dound to the honour of my crown or to "the happiness of my people."——Now, MR. PERRY, though the Attorney General complimented you, and with great justice, on your *ingenuity*, I do not believe you possessed of ingenuity enough to make even a *show* of reply to this. In short, you would find yourself penned up so completely, that you must either retire in silence, or say, at once: "Well, may it, "then, please your Majesty, to change "your servants and to recommend a Re-"form of the House at the same time." ——To this the king would, doubtless, answer: "Here again, your application "does not appear to be warranted by "sound reason, if you mean, that I should "choose as my new servants, those who "were lately my servants; for, though I "find their names in your list of the mi-"nority upon the last great Votings, I "cannot but bear in mind, that they are "not, any more than my present serv-"ants, friendly to that Reform, for which "you now apply; but, on the contrary, "are the persons who have the *most fu-*"*riously* attacked all those, who have "stood forward to call for such Reform. "——Therefore, first, a compliance with "your application for a change of my "servants, would, as appears from your "own statement, be of no use, unaccom-"panied with a recommendation of a "Reform of the House of Commons; "and, secondly, a compliance with your "application for a change of my servants, "accompanied with such recommenda-"tion, would be of no use, unless I were to "choose my new servants from amongst "those, to whom your friends are more "directly opposed, and towards whom "they evince *more bitterness* than towards "my present servants."——There can be *no answer* found to this. Even the metaphysics of the Edinburgh Reviewers would not afford the means of forming, of kneading up, even a quirk to bear against it.——Ridiculous, however, as this notion of petitioning the king is, it has, I see, the sanction of the Chairman at a recent meeting of that poor old Rump, called the *Whig Club*. LORD HOLLAND, who was the Chairman alluded to, is represented as having said "that, since he

"last had the honour to meet the Club, "the country had witnessed the melan- "choly result of the most expensive and "the most enormous expedition that this "country had ever sent out. He would "not speak of its conduct nor of its dis- "asters, but he must say that it had pro- "duced the effect of making a sensible "impression on the minds of the people; "and *he could plainly perceive a more active* "*and lively interest avowed* in every part "of the kingdom, than had been visible "at any former period of the present "war. Whether in the present state of "their feelings, they would be *satisfied* "*with the result of the Inquiry* that had taken "place on the expedition that had ended "so fatally, he could not take upon him- "self to determine; but this he was sure "of, that if they were not satisfied with "that result, it was a duty which they "owed to themselves, to their King, and "to posterity, to avow their sentiments "in a public constitutional manner;— "not in holes and corners—but *in public* "*meetings of the counties and cities—and to* "*carry the resolutions of such meetings to* "*the foot of the Throne.* He had full and "entire confidence that this duty they "would perform with the same spirit of "independence and patriotism as had dis- "tinguished the Common Council of the "first city of the empire, as well as the "county of Berks. He concluded with "thanking the company for the high ho- "nour they had conferred upon him."

——Oh, no! my Lord, even your voice will not rouze the people to meddle with any such matter. The people have formed a very just opinion, as to the result of the Inquiry; the people know all about that matter full as well as your lordship and Messrs. Horner, Brougham & Co. but, there are a great many of the people, amongst whom I am one, who would as lief, who would rather, be ruled by a bench of *English Lawyers*, than by a Smack-load of Writers to the Signet, though imported under the auspices of your lordship's wisdom. No, no, my lord, we are not to be *set on;* we are not to be *hallooed* into petitions to the king, that he would be graciously pleased to assign us over to the crucibles of the Edinburgh Philosophers. No, my lord, be assured, that not a man will stir, except it be for a Reform of the Parliament.

——The people, my lord, bear in mind what was said by the Edinburgh Philosophers and by their followers in parliament, about *their Addresses to Mr. Wardle.* The people bear in mind, that your party scoffed at those Addresses. The people bear in mind, that the voice heard in those Addresses was denominated, by your party, "*popular clamour.*" The people bear in mind the speeches of the Whigs upon Mr. Madocks's motion. The people bear in mind the exultation, the boundless joy, the extacy of delight, visible in your party when all sorts of baseness combined had succeeded in exhibiting Mr. Wardle to the public, for a few weeks, in a light disadvantageous to his character. The people bear in mind how, at that moment, the malice of your party sprang forth, like a viper warmed into activity by a casual hot day. The people bear all these things in mind; and, what must the people then be, if they could be persuaded to petition the king to take your party into power?

——You talk, my lord, about the people not being *satisfied* with the recent decision; but, not a word do you say about *a Reform of Parliament.* That you cautiously avoid. It is, however, too much; it is, indeed, too much for me to waste mine and my readers time upon what you did say, or what you did not say, at the wretched Club: it is going a little too far to suppose, even for one moment, that any thing said at that Club could have an influence upon the country, or any part of the country.——When I was in London, the other day, I met with persons to say to me; "but, now, really, Cobbett, do "you not think, that the affairs of the "nation would be *carried on a little better,* "if the late ministry were recalled to "power." From the bottom of my soul I answer now, as I did then, I DO NOT. Would they endeavour to take off any of the *taxes?* What should induce us to suppose it? Did they ever use any endeavours of the sort? Nay, and I beg the reader to mark it well, have they not, as if sure of the reins of power, taken care, beforehand, to endeavour to throw all the slurs possible upon the *financial* propositions of *Mr. Wardle,* and to sink that gentleman in a comparison with Mr. Huskisson?——In short, they are now a party, they are still *a party,* but, as their hungry expectants lamentingly observe "without either power or popularity;" neither of which will they again possess, till they cordially join the people in their endeavours to obtain *reform;* not what is called an "*œconomical* reform;"

not any sham of that sort; but a reform of the Commons House of Parliament, agreeably to the principles of the constitution. Sir FRANCIS BURDETT, in his speech upon the Walcheren Inquiry, is, in the news-papers, reported to have said, by way of conclusion, "That he should "now vote heartily for the resolutions, "and the only repugnance which he felt "was, at their not going to an impeach- "ment and Court Martial. When he "said this, however, he declared *he saw no* "*good to the country from the dismissal of* "*Ministers,* unless it was followed by *a* "*total change of measures.* If we wished "to be rescued from our present perilous "situation, we must have *Reform*—Re- "form, which would revive and re-esta- "blish the ancient fundamental principles "of our Constitution. Unless this was ob- "tained, neither himself nor the country "would be satisfied. From the folly of "not demanding this arose all our cala- "mities. From it *arose this Expedition*— "*this child of corruption, expiring by its own* "*inherent imbecility.* All their calamities, "all their disgraces, were derived from "the want of a fair and equal representa- "tion. To that, and that alone, the peo- "ple ought to look—it would be folly to "expect relief from any other cause. If "this was obtained, they would no longer "see Ministerial weakness working an "abandoned prostitution. This was *their* "*only avenue of escape from ruin, imminent* "*ruin.* For himself, he cared not, if that "ruin was to come, whether it came in "the shape of a *rotten borough,* or an open "*iron despotism.*"——These are, if I know any thing of them, the sentiments of the people of England; and, as the reader has seen, in the motto, such were the sentiments at a time when corruption did not stand exposed by any thing like Mr. Madocks's motion, such were the sentiments of Mr. PITT and his FATHER. The time is now come, when these sentiments must prevail, or ruin must follow. It is quite useless, therefore, for any set of men to call upon the people to stand forward, unless they themselves *first* declare for Parliamentary Reform. "Without a Par- "liamentary Reform," said Mr. Pitt, "*even good ministers* can be of *no use* to "you. According to the present system, "*no honest man can continue minister.*" These are propositions as perfectly believed by the people of this country as it is possible for them to believe any thing that can be stated. There are people, like the Edinburgh Reviewers, to *dispute* about the matter: but, not a man is there who, in his own mind, has, in my opinion, any even the slightest doubt upon the subject.—— There is one point, with respect to which I differ from SIR FRANCIS BURDETT. He says, that if national ruin is to come, "he "cares not, whether it come in the shape "of a *rotten borough,* or in that of *an open* "*iron despotism.*" Now, for my part, while I confidently hope, that there are yet too much virtue, sense, and courage in the country to suffer national ruin to come in any shape, I must say, that if it were to come, I would ten thousand times rather see it come in the shape of an open iron despotism, than in that of a rotten borough, which last is as much worse than the former as the poisoner is worse than the highwayman.

SIR FRANCIS BURDETT'S ADDRESS.—Just at the moment when I am writing this, the Honourable House is, I suppose, entering upon the discussion, relative to this performance, the fame of which will live, when the trunks, lined with the pages of its critics, will have mouldered into dust. ——It was my intention, in this sheet, to have given a History of this great question, compared to which the Walcheren Inquiry was nothing at all, or, at most, a very insignificant affair. It will, however, be best to postpone what I have to offer upon the subject, till the report of the discussion is before me.——It is a grand question. It is worthy the attention of a whole country. It is not a pitiful, peddling, party matter; not a matter involving any selfish passions or interests, but a matter affecting every man in England, and every man who holds in veneration English law.

WM. COBBETT.

Botley, 4th April, 1810.

THE SIXTH VOLUME OF

COBBETT'S

Parliamentary History

OF

ENGLAND,

Comprising the Period from the Accession of Queen Anne, in 1702, to the Accession of King George the First, in 1714, will be ready for Delivery on Saturday next.

EDINBURGH REVIEWERS.

"The more Greek they knew, the greater knaves they were."——CICERO de Orat. Wherein he commemorates this saying of his Father upon the Syrian Slaves, and which will fit any others!

SIR;—We left the Edinburgh Reviewers about two years ago in your Register, suspended upon one of the horns of a dilemma, in their own argument, where they might have usefully remained, as long as their crimes were remembered, a terror to bad reasoners and place-hunting politicians of every denomination.

And in this place, for the information of those who have not read it, I may just remark, that the Essay in 1807 of the Edinburgh Reviewers, besides its intrinsic merits, had very liberal objects in view; These were, to write down Mr. Cobbett's Register, to under-write, (I don't know for what per centage) the rotten boroughs, and to write out the ministry, which was in effect, to write in themselves and their friends. As the motives, however, were here undisguised, the conception happy, the execution ingenious, and the thing itself in the course of trade, it is obvious, that it had points to recommend it to a commercial country. If there was indeed, any thing in it, which was not quite laudable, it consisted in the manufacturer having clandestinely assumed his patent for a machine, the invention of another man's ingenuity, to which he had not annexed the slightest original addition, or improvement, as a title for his monopoly; which justice accordingly requires should now be set aside. I merely therefore, think it necessary to acquaint the reader, that in the 2nd Vol. of Paley's Moral Philosophy, (an author who may be safely trusted in every department but politics) in his 7th chapter of book the 6th, he will find all the arguments, and in a number of instances in the very words, which were published by the Reviewers (for 5*s.*) in 1807, besides other parts of it again in 1809, (for 6*s.*) as their own, without the slightest acknowledgment to the rev. author and inventor. One deviation indeed they have made: but it is of a nature to render it doubtful, whether it can bear out an exclusive privilege. Paley, however sophistical and time-serving his doctrine, still maintains an apparent congruity; his machine pins together, will work, and is no where disjointed; but the Edinburgh Reviewers, in tacking to Paley's hypothesis, which is general, their private attempts to vilify one particular parliamentary faction, (whose demerits, God knows, need not be exaggerated) have produced a paralogism, of which Paley, priest as he was, would have been ashamed, and has never been guilty. And if the Reviewers, after this, claim the Essay as their own, be it hereby recognized, that their sole title to such appropriation consists, as I repeat, in the added absurdity; for this is positively the only material thing in it, which is *bonâ fide* their own. This Essay, contrary to expectation, had but (as their friend Mr. Windham, I think, expresses it) a sort of negative success. The circulation of Mr. Cobbett's Register encreased, the constitution was vindicated, and "No Popery" would not budge; things in short remained in but an "unsatisfactory state."—It will be recollected, that their scope, at that time, was a justification of a system of "influential" (in the Scottish idiom, but which in English, means, corrupt) representation, by a reference to the sort of persons, of whom our House of Commons actually was, and as they alledged, ought to be composed. But it so fell out, that in the same Essay, the unfortunate Gentlemen blew out their own brains, by declaring "that there was throughout the nation, a "contempt for public characters, &c. &c. "&c.;" expressions which could only be referred to the very persons of which the House of Commons was, and by their previously specified argument "ought to be composed." This disaster made a retreat, with as little noise as possible, expedient; they accordingly decamped in silence, and if they had been well advised, they would never have attacked the citadel of English liberty again. Their recent Essay, which I here purpose to advert upon, is a defence in the main, although not entirely, of a system of corrupt representation, by a reference to the effects which a House of Commons, so constituted, has aided to produce, and which no radical change in such constitution, could, as they consequently allege, operate to remove, or even materially to obviate. In a word, it contains a species of consolation, which consists in shifting the charge of corruption and mal-administration, from the parliament to the people, to the perverse nature of things, to fate, to the revolution of France, to Buonaparté, or the devil! Their first Essay, then, if I have rightly characterised it, set out with

maintaining the doctrine of a sort of state Optimism—the dogma of a very political Pangloss: their last Essay turns cat-in-pan, and amuses us with a kind of Pessimism, equally predestinated, and which no change can, in the main articles, mend. Which of the two approaches the nearest to the actual predicament of a country, the sport of the vicissitudes of faction, is a very delicate topic, which I therefore willingly leave to the consideration of the reader. For me, I shall merely apply the doctrine of the law to these critical testators, and although I may occasionally refer to their former, I shall consider their last Essay as their valid political will and testament. Having noticed the counter-hypotheses of the two Essays, I will next for a moment, advert to the direct self-contradiction in point of sheer veracity between them; not forgetting the curiosity of the first having been written in order to convict Mr. Cobbett of self-contradiction. In the Essay of 1807, (or Dr. Pangloss's) nothing of course could be so good, so very good, so perfect, so very perfect, as the actual system of our parliamentary representation. In fact, "we "were governed in their parliamentary "capacities, by the very persons, who na- "turally, in their private and individual ca- "pacities," [Lord help us!] "would have "swayed the sentiments of a vast majority "of the country." In a word, the practice of our representation was so adapted to the order of society, and to the communication so intimate between the elected and the constituent body of the nation, that the Reviewers quite exploded the superfluity of reform; but this assumption having been, as I said before, not only extinguished by a subsequent proposition of their own argument, but positively repelled by some public events, which took place after the appearance of their first Essay, (the one I am here speaking of,) the Scotch Reviewers, from a conscientious conviction solely, and without any reference whatever to the reflux in the tide of public opinion, and to the contingent sale of their lucubrations, have suddenly drawn in their horns; and they now roundly assert, not only, (God forgive them) that they actually are, but that, they always have been friendly to Parliamentary Reform. However gross the contradiction may be, this then, is their language at present, and had their change been in other respects silent, had they said no more, or had what they have further said been like this, or in this spirit, I should have been spared saying any thing —although I must confess, that as at any time, the "*Danaos dona ferentes*" are calculated to excite apprehensions in the breast of a reasonable man, so a profession of sincere, past as well as present, friendliness to reform in the mouths of these Critical Statesmen, who so lately did factiously oppose that measure, had a tendency to put me upon my guard against stratagem. That this conclusion against the "*fœnum in cornu*" is not illiberal, but is *à posteriori* fully warranted by their recent practice, I shall shortly proceed to endeavour to convince the reader. Let me premise nevertheless, that I am as aware, as any man, and have always protested, in ordinary cases, against the common-place expedient, that to vilify an author's motives, is not to answer his arguments; but where an incorporation of political metaphysicians, where a trading company of philosophers, where a copartnery of wits, where an extensive firm and substantial concern of criticism has, by force of joint stock contribution, gained a great credit with the public, and by an expansive emission of its paper, has the means of influencing, and on many topics, has the just title to influence national taste and opinion; where one sees such a potent association, guilty of an act of political craft and disingenuity tending to mislead public sentiment in concernments of the highest interest to the country, it is the duty of any man, however humble his pretensions, who discovers it, and who detects the motives in the sophistries, to denounce both to the public. The author that promulgates, or maintains political doctrines; or the public man, who has the courage to prosecute any great measure whose tendency is to benefit his country, has a right (was his claim barely referred to the policy of society) to have the best motives assigned for his exertions; but the writer, who inculcates doctrines, calculated to undermine liberty, and to degrade his country, has a right to have the worst. Society has in that case the benefit both of action, and re-action—for as the tendency of the work discredits the motive, so the imputed motive in return discredits the work.—I now proceed to shew the relevancy of my prefatory matter; requesting the attention of the reader, to the Edinburgh Review (No. 28, article 1.) which produced it. It begins (page 277) with an assumption, in which most persons will concur with them, that, "it cannot

" be doubted, that there is at this moment, " among the people of this country, a " very strong spirit of discontent with " their government; and a very general " desire for a more radical reform," (here it was I immediately began to suspect treachery!) " than would be effected by " a mere change of ministry. Facts," (or rather, as I should have called them, feelings), " which must have causes, and " causes adequate to their production." In the next page they proceed, as usual, to discriminate into divisions (3 in number) what has no occasion at all to be divided, or rather, what can justly alone be considered in the aggregate. And it is the aggregate or simple and general contemplation of the state of the country, which by this analytic method is conveniently got rid of, and thrown by them into the back ground, or a nook of their Essay, where they dexterously contrive to leave it, under the extrinsic or remote head of " evils arising merely from local " circumstances, or individual malversa- " tion." Something in short extraneous to, and hanging quite loose upon the subject; and they expressly except this aggregate (page 278) out of those 3 distinctions, into which, they divide their consideration of the subject, and which they emphatically term the three " leading evils" of the country. These according to them are the following—" 1st, the burden of our " taxes; 2d, the preponderating influence of the crown arising from the enormous " extent of our establishments, and of the " patronage consequently vested in the so- " vereign; 3d, the monopoly of political " power, which the very permanency and " nature of the constitution has a tendency " to create in the hands of a small part of " the nation, and the growing jealousy " and disaffection, which this is likely to " breed in the body of the people."—But I should first have observed, that they previously raise three doubts as the ushers of their 3 distinctions. " 1st, Whether the " existing evils are capable of any reme- " dy. 2d. Whether the remedies which " have been suggested, are likely to " prove effectual; and 3d, Whether they " could be applied, without the hazard " of greater evils, than those, which they " are expected to cure." Good God! that there should be a doubt in these times of discovery, whether the burden of the taxes could be lightened, or whether the influence of the crown upon the legislature would not be diminished, by the independent action of a House of Commons, representing the people, looking only to their constituents, and not to the minister; or lastly and worst, that there should be a doubt whether such a genuine representation of the property, the ability and the sentiments of the nation, would not be a greater evil (for this is a strictly fair and logical interpretation of their doubts) than the evils, which such a representation might remove!!—Now, Sir, I despise cavilling as much as any man, but when, in the very outset of a disquisition, written with consummate skill and vast labour, I see a studied erroneous analysis of the subject to be discussed, by which the proposition, that would peremptorily decide the controversy, is thrown out of sight, and others, merely subordinate, collateral, or instrumental to that one, substituted in its place, and usurping its importance, I am obliged to suspect, that there is a design to sophisticate, and the laws of good argument, as well as the interests of truth, in this case, imperiously require, that the main proposition be restored in the beginning to its proper place and importance; so that at all events, in our journey towards a conclusion, however we ramble afterwards, we may take care to set out right. I am as sensible as the Reviewers, that the previous analysis of a subject greatly facilitates the discovery of truth, by methodising and simplifying the argument, which is to develope it; but there is one matter essential to this mode of enquiry; which is, that the analysis be complete, and nothing left out, and above all, that nothing be assigned, that does not exist, or that is not true. For example, the discontents of the nation can neither be referred primarily, nor principally, to the weight, grinding as it is, of taxation (although a very reasonable cause) nor to the influence, enormous as it undoubtedly has grown, of the crown, (although a thing very dangerous); nor to the tendency, even were it a fact, (which it is not) of the constitution to vest in a few hands, a monopoly of political power, (although it would be a very good reason for changing so bad a constitution). These, Sir, are concurring streams it is true (I mean as many of them as are true), but they are not the main, far less the only source of that " strong dis- " content," which rises more peculiarly and especially from the consideration, that after sustaining the evils of all this taxation with the certainty of its alarming

incalculable encrease; that after vesting in the crown this enormous patronage, to be exercised, at its discretion, for calling into activity all the energies and resources of the nation; that after acquiescing in the monopoly of power by a few hands, (which the abuse only of the constitution, and not its tendency, placed there!) rather than risk a disturbance in wresting it out of them, "the strong spirit of discontent," I repeat, arises principally from the consideration and perception, that after all these sacrifices we are further from safety than before we made them; and from seeing that all these sinews of power, taken from the people and given to the government, have but enabled it to carry the country to the very edge of a precipice of the most dreadful peril, to which, not even excepting the Norman invasion, it has ever been exposed. It is not, then, the encroachments upon popular rights, made by the monopolists of political power, (either by, or contrary "to the tendency of the constitution,") it is not the simple view of the consequences to be feared from the influence of the crown; nor is it the weight of taxation, nor all three together: but it is the aggregate of these three, and the peril superadded to these three, to which our lives, our liberties, and our properties are so imminently exposed, that constitute the cause, and indeed a pretty adequate cause, for "that strong spirit of discontent," which is recognised by the Reviewers at the outset of their Essay; and which renders not a partial, a temporising, a hesitating, and a mitigated measure, like theirs, of Parliamentary Reform, at length at this time feasible or admissible, but which loudly calls, whilst hope is yet left, for the instant interposition of political wisdom, for the immediate infusion of vigour and virtue into the system of government, to enable it to save the country! This is what is required, and if this is not obtained, the little dribbling proposition of the Reviewers, will not only never be adopted, but if it were adopted, with their spirit of modification, would not add half a *lustrum* to the duration of British Independence.—If I am right then in this view of the predicament of the country, and the united voices of all men of reflection tell me I am; and if the postulate of the Reviewers be admitted (by which, at all events, themselves are concluded) page 300, "that the whole substantial power of the government is now manifestly vested in the House of Commons:" I ask them in what way, as reasonable men, they can satisfactorily even to themselves propose to extricate the nation from such an alarming crisis, unless by a radical change in the constitution of the government (according to them the House of Commons) which (always excepting the present honorable House) has, by a 17 years perseverance in folly and improvidence, involved it in such difficulties, and conducted it to such a crisis? Some daring speculatists have falsely and irreverently suggested that the source of bad government, lay higher and deeper; but, God be praised, the Edinburgh Reviewers having shewn us, that the Government is substantially vested in the House of Commons, and not in his majesty (whom Heaven preserve) we can now have no difficulty in improving our government according to our taste, and in mending it according to our necessities. In this very same page then (300) have these unfortunate Essayists both assumed, that the House of Commons is the "substantial government of the country," making by consequence all our depicted misgovernment imputable to it, and deprecated in the same page, any "alteration in the composition of that House," "as a measure which would deprive us of all the practical blessings of our constitution!!" Which practical blessings they have themselves in the same pages been kind enough to define to be,—a load of taxation, Which nothing can lighten; a system of influence, which nothing can limit; and a government by a majority of the Representatives of ministers *in*, and *ex*, and of noble families, in exclusion of the real Representatives of the people of England! But there is no avoiding one's fate, and these Gentlemen certainly were born to be hanged on a dilemma! I will conclude with a few more remarks in the way of surface, or general view. Their 1st division, the reader will recollect, is "the burden of our taxes," their 2d is "the preponderating influence of the crown." Now, in their consideration of this division, allowing it to be one of the grounds of "the strong spirit of public discontent," they are guilty of a perversion of the obvious meaning of the proposition, and it is a perversion, whose object is to carry the mind away from the consideration of the thing which can be reformed, by amusing it with a copious discussion upon a thing, or rather things,

which, by the nature of our government, cannot be reformed; and which neither Sir F. Burdett, nor any body else, would ever dream of reforming, or desire to be reformed, if it even were possible. Every body knows that it has, and nobody regrets, that the crown should have "a predominating influence," over tax and other revenue commissioners, over the Army, the Navy, the Church, and the Law, and over all our other civil and military establishments. There always has been in every reign, (and long before the reign of Mrs. Clarke) in our holy religion a pruriency "to preach before Royalty," without any disparagement to the zeal of Dr. O'Meara. We have even always had bishops, (like the duke of Lerma's,) who, feeling themselves indisposed in their dioceses have desired to become Archbishops merely for change of air.—Generals may not like fighting, but they all, fit or unfit, from Buenos-Ayres to Walcheren, like patronage, like regiments, (I mean the profits of regiments) and like command. There have, in distant periods of our naval history, been admirals too, made of similar stuff, who liked flags, peerage and prize-money very well, with a prudent regard to the dearness of timber, and consequent preservation of their ships, which receive much damage from shot, to say nothing of their inhabitants. Also, silk gowns are much softer and pleasanter to the feel, than stuff ones. And as to the revenue officers, to pass over comfortable salaries, patronage, perquisites, &c. every body prefers the collecting of other people's money to the paying of his own. So that the crown has naturally, constitutionally, and usefully, in all these respects, a predominating influence, which the Edinburgh Reviewers despair of diminishing by Parliamentary Reform. But will they forgive me for hinting to them, that these enumerations have nothing to say to the question, although they conveniently puzzle common minds in the entertainment of it; the discontent being solely at the influence exercised by the crown over the members of the House of Commons; that is the only matter connected with the discussion, which dissatisfies the people; it is the only article of influence in all the enumeration, which can readily and practically be diminished, and is consequently the only thing, which the Reviewers lump with other sorts of influence, so as in a good degree to keep it as a principal figure out of sight.—Lastly, with regard to the proposition in their 3d division, I am to lament the being obliged to consider it, as an untruth, literal, monstrous, (if not blasphemous) and quite palpable. "The nature and permanency of our constitution, have a "tendency to create a monopoly of power "in the hands of a small part of the nation!!" In what period, Sir, of any sound part of our history, to which we look for a precedent, or by what illustrator of our constitution, or our liberties, do they find such a fact recorded, or such a doctrine inculcated? It is indeed the wretched nature of every sublunary work to corrupt and perish; nor, has Providence permitted to the moral contrivances of man a diuturnity, which it has denied to its own material creation. All political establishments have certainly in this view a tendency to corrupt; and the British Constitution may have a tendency in this sense to create a monopoly of power, as every thing else has a tendency to decline from its perfection; but it has no more tendency to corrupt in this way, than in any other; and God has given us reason, and common sense, if we will avail ourselves of it, to instruct us how to retard this corruption, and to counteract this tendency. And if we do not avail ourselves of it, our ruin will not be imputable to the tendency of our ancient excellent constitution to be perverted, but imputable to ourselves; who have at any time the right, as well as the power, to counteract this tendency, to restore to its original excellence the good which may have declined from it, or even to new modify this constitution, where correction would be impossible, or inadequate. To illustrate this by an example downstairs, which is not a whit the worse for being familiar and vulgar. Mutton and beef and butter and fish have a tendency to corrupt, but does any body on that account sit down to dinner to stale fish, and putrid meat? No, we eat it in time, or we salt it and cure it, whilst the reason would be just as good for eating corrupted victuals, as for acquiescing in corrupted government. But the object of the Reviewers, which they pursue with great ability and ingenuity, was to efface as much as possible of the impressions, which Parliamentary Reform, referred to common sense, has not failed and could not fail to infix in the opinion of the public. They were completely aware (which some of us may not be) that Parliamentary Reform is not an abstracted philosophical discussion

between A and B; the validity of whose arguments is to be adjudged by C an indifferent party, but they know that it was to be adjudged by A himself; that A was in possession of vast power and riches, of which the impartial arbitration of this question would infallibly deprive him; they did not also forget that they were the friends of A: In short the borough-monger A, of whose mercenary interests the Reviewers are the insidious advocates, had, as they well knew, the government with him, supported as all governments ought to be, by the judge, the gaoler, the hangman, &c. by the bayonet, by themselves the Edinburgh Reviewers, and by all those, whose interests lead them to concur with him; whilst on the other hand, there was only argument, and an old prejudice in the mass of the people, in favour of something they had heard from their grandfathers, or perchance grandmothers, about "free parliaments." Still, a government not founded on the reverence and respect of the people, is in danger, or at least, is never quite safe, in ticklish times. Now, mind Mr. Cobbett, it is not my assumption, that our government is in this predicament. I am merely reasoning upon a postulate of the Reviewers, "that there "is a very strong spirit of discontent, &c." The Reviewers then, on their own assumption, seeing that there might be some danger of a popular commotion in favour of this measure, Parliamentary Reform, and knowing, there was no danger to the good cause of monopoly from any other quarter, devised a mode, which never was excelled in art, by all the characteristic prudence of their nation; and this mode was, to pretend to shift the wind in their own quarter; to avow, that they were convinced, that the people being so desirous of this measure, ought to be, or might be, at length safely gratified with a modification of it; employing however, the previous precaution of laying before the nation, a most elaborate discouragement to perseverance in demanding it, by endeavouring with vast pains and ingenuity to prove to us, that it would, when accomplished, utterly fail of producing any of those important consequences, so fondly and vainly anticipated from Reform, and thus damp every combination, and paralize every popular effort for its accomplishment: since it is strikingly palpable, that if neither the "burden of our taxes" can be lightened, nor "the influence of the crown" be diminished by reform, it is not a question of a farthing's value to the people, whether the appointment of members of parliament, be monopolized by a few hands, or distributed amongst many; who, by the hypothesis, will be equally affected by the influence of, and equally devoted to the interests of the crown! Here then, is my quarrel with the Reviewers, that professing themselves its friend, they have treacherously discouraged Parliamentary Reform, by laborious reasonings upon its inefficacy, which though altogether unsolid, are specious, by sophistications calculated to perplex ordinary understandings, but which could not have entangled their own, and by warily assuming, as the only ground, upon which they can recommend it, its probable operation in respect of a result, about which, if their previous conclusions are just, the people must be entirely indifferent. Their whole Essay then, on Reform, is a comedy, well acted; and their proposition for granting to the nation, so much of that commodity as they think necessary for it, is a farce. For as the body which is to accede to the Reform, is the very thing itself which is to be reformed, it is obvious, that it will never be given, though it may be taken. But if a strong persuasion, which has some how or other, unreasonably prevailed amongst the people, that reform would lighten their burdens, and diminish undue influence, has been hitherto found an inadequate stimulus to arouse them, to insist upon its concession, what stimulus is left to excite them to insist upon it, when you have previously, by argument, endeavoured to extinguish in their minds, the expectations of those only resulting consequences from it, which in their eyes could make it desirable?—I flatter myself, that in this Synopsis, and it pretends to nothing more, I have, in some respects, effected the purposes, for which I undertook it; namely, to shew that whatever merit might be claimed, for the discovery of the ingenious defence of representative or parliamentary corruption, these Reviewers were not the real authors of the discovery: and lastly, that they are not on every occasion to be taken implicitly on their word. So that, although they say, that they are, and were, they neither were, are, or can be considered as sincere advocates for Parliamentary Reform. To come to this conclusion, it is scarcely requisite to repeat, that in the very Essay here considered, they have asserted that they were

always advocates for such reform; although a short time before, they had written and transcribed from Paley, an elaborate article, expressly to explode it. But it may be proper to observe, that to profess to be the friend of a measure, which can never be carried but by an enthusiastic, popular prepossession, and in the course of a discussion upon it, to endeavour to impress a persuasion, that none of the great or good consequences, which are anticipated, will result from it, is the most consummately artful mode, that could have been devised for accomplishing its miscarriage. In another letter, I will endeavour to strip of their sophistries, the arguments wherewith they attempt to conclude against these great and good consequences, as likely or probable to result from Parliamentary Reform. Wherein, if I succeed, the question of their pretensions to sincerity, will be set at rest for ever, and the cause of reform be extricated from the most dangerous of all enemies, which that, or any cause, or any man can have; a false friend.

I am very faithfully yours,
J. W. WORTHINGTON.

Southampton, 25 March, 1810.

JACOBIN GUINEAS.

SIR;—The inclosed paper was written and communicated to several persons before Sir Philip Francis' Pamphlet appeared. I doubt not that you have read that production, which is worthy of all attention, and you must see that he and the writer of the inclosed agree precisely. It is therefore proper to say why I trouble you with the paper now. Sir Philip has observed, and you yourself have repeatedly said, that the use of many words often renders a subject or one's meaning obscure. Sir Philip has not been prolix, but he has wandered from the point, and I flatter myself, that, if you think the inclosed paper worthy of a place in your Register, it may still be of use.—I am, Sir, your constant Reader, A. B.

Mr. Thornton, in his pamphlet, and in parliament, has asserted, that an excessive circulation of Country Bank Notes is not to be apprehended, if the Bank of England conducts itself prudently, because the issue of Country Notes is necessarily limited by the Circulation of the Bank, which seems to be a fallacious application of what may have been just doctrine in former times, to the present. When gold might have been demanded for a Banker's Note, he was obliged to have gold by him to answer the average demand on him. Now, that Bank of England Notes are in truth a legal tender in England, because a debtor cannot be sued, unless the creditor swears that Bank Notes have not been tendered, the Country Banker, it is supposed, ought always to have the same sum by him in Bank of England Notes which formerly he ought to have had in specie; but that is not the case. The Notes of a Country Bank circulate only in the vicinity. Nobody, in the vicinity of a Bank of good credit, thinks of exchanging its Notes for Bank of England Notes: What is he to do with these last? If he is at the trouble of sending them to London, he cannot get money for them. Demands on the Country Banks are therefore limited to what the holder has to pay in London, and for that purpose the Banker's draft in London is much more convenient. These drafts again are met by those which the Banker remits to his Correspondent, and the balance being in favour of the Country against London, the account with the London Correspondent must generally be in favour of the Country Banker. It is the business of the Country Banker to push his Notes into circulation, while a run upon him for Bank of England Notes is evidently a bugbear. He gives credit in a way which the Bank of England cannot do, lending money on every thing. Accommodation Bills are common both in the Country and in London, where the Bank makes no scruple of discounting such Bills, till the frequency of them, from any particular quarter, renders the credit of the concern suspected. Besides, in the present circumstances, to press a Banker for payment, whose credit is at bottom good, is reckoned a malicious act, and there are instances of the judges interposing where the run was evidently uncalled for, or merely with a view to distress. Take the instance of the Banks in Scotland, where Bank Notes are in no sense a legal tender; Who thinks of making any considerable demand for specie on the established Banks there? Which would be most invidious, when it is certain that they cannot have specie? Hence it is reasonably to be inferred, that the Banks of Scotland must have increased their circulation immensely, the stoppage of the Bank of England, and the disap-

pearance of gold, being most happy and profitable circumstances for them. They were formerly obliged to have large sums in specie lying by them, procured at considerable expence; now they need not have a guinea, or a very few guineas, and a small quantity of bad silver will suffice. —Formerly the circulation of the Notes of the Bank of England was confined to London and its immediate neighbourhood. Now it must supply the demand of the Country Banks. This, as well as the necessary issue of small Notes to supply the want of guineas in small traffic, accounts, in some measure, for the issue of Bank of England paper being more than it was before the Restriction; but it by no means accounts for the excess of that issue. In 1797, the average circulation of the Bank of England was under eleven millions; in 1810, it is nearly double that number. The additional demand of the Country, and the supply for specie, is infinitely counterbalanced by the mode lately introduced, of Bankers exchanging drafts every day. An immense proportion of payments are made without a single Bank Note being touched by any one. A demand being made on me, I draw on my banker A; that draft is not presented for payment, but lodged with the Banker of the person I gave it to, B; it is found at the clearing house that A holds a draft on B, and my draft wipes it off.—By this traffic too, checks on Bankers become truly part of the circulating medium. Mr. Boyd would not allow any thing, except Bank of England Notes, and gold and silver, to be called circulating medium; he even excluded Country Bank Notes; but every thing substituted for specie is circulating medium, checks on Bankers, Bills of Exchange, Exchequer Bills, &c. If a merchant is allowed to pay the Custom-house duties with an Exchequer Bill, is it not the same to him, and to the public, as so much specie? —There is no doubt that the rise in the prices of every thing is to be ascribed to the excessive issue of paper, and in that sense the Bank paper may be said to be depreciated. But it does not follow, that the high price of gold is a proof of the depreciation of paper. Gold, like every other commodity, must rise in price if the quantity in the country is limited. If we are so circumstanced as that we cannot import a supply, it must continue to rise.—It is said, if you send a Guinea in gold to Hamburgh, you will get 25*s.* or more for it; but this is not to be understood literally, twenty-five English shillings cannot be got at Hamburgh for a Guinea, nor as much silver in bullion or foreign coin as will fetch 25*s.* here. The meaning probably is, that a Guinea will purchase one-fifth more than a Bank of England 20 shilling note, or that in purchasing the commodity, the buyer must pay by drawing on London for one-fifth more than he would do if he were possessed of Guineas to make his payment.—It is impossible to reconcile this with the representation of the flourishing state of our trade. It is said, that our Exports far exceed what they ever did; they are vastly beyond our Imports. If this were true, exchange would be in our favour. There could be no temptation to export gold. Gold would be low in place of being high.—Upon the whole, the price of gold and the disappearance of specie are to be ascribed principally to the state of our trade, and the representation of its flourishing situation is false. We have occasion for necessary articles, and cannot forego the use of luxuries from abroad, while there is no adequate demand for our manufactures, or their admission is prohibited. The difference must therefore be made good by the exportation of gold, or by paying such a high rate of exchange as to make it the interest of the trader, if possible, rather to find gold.—The root of all the evil, or, at least, the occasion of all the difficulty in accounting for the present state of things, is the Restriction on the Bank of England. If the Bank were obliged to pay, as it promises to do, our true situation could not be disguised. The Bank would be under the necessity of buying gold at any price. If they found that to be a bad trade, (as it is probable), they must decrease the circulation. The trade of the country would decrease; commodities would fall in price; gold amongst others; and if the Bank found embarrassments and made difficulties in paying, their paper would fall to a discount beyond all denial. —At present, we are shutting our eyes to the consequences which sooner or later must follow our folly.

Published by R. BAGSHAW, Brydges-Street, Covent-Garden:—Sold also by J. BUDD, Pall-Mall, LONDON:—Printed by T. C. Hansard, Peterborough-Court, Fleet-Street.

COBBETT'S WEEKLY POLITICAL REGISTER.

VOL. XVII. No. 15.] LONDON, SATURDAY, APRIL 14, 1810. [Price 1s.

SIR FRANCIS BURDETT'S COMMITMENT TO THE TOWER.

THOUGH this subject, and matters closely connected with it, have been in agitation for three weeks past, I have thought it best to suspend any observations, which I had to offer thereon, until the thing should be completely disposed of in parliament. What I have now to submit to my readers will be found to relate, chiefly, to *the conduct of Sir Francis,* SUBSEQUENT *to that Vote of the Honourable House, by which Vote he was sentenced to the Tower;* but, fresh as the mere history of the proceedings against him must be in the public mind, it will, in the course of a few months, be found useful to my readers to possess that history, brought into a short compass; and, for that reason, I shall here give such history, by way of preface to my intended observations.

We must begin with the primary cause, namely, the exclusion of the news-paper reporters and others from the Gallery of the Honourable House by the enforcing of the Standing Order by MR. CHARLES YORKE.——An Inquiry (at the bar of the House) into the facts, relating to the fatal Expedition to the Scheldt, had, on the 20th of February, been moved for and carried, in opposition to the ministry, with whom Mr. Yorke voted against such Inquiry *. But, though the Inquiry could not be prevented, it was possible to prevent the public from being made acquainted with the far greater and more interesting part of the proceedings therein, by shutting the reporters of debates out of the Gallery. There being a standing order for such exclusion, it could, of course, be enforced by any single member; and, in the person of Mr. Charles Yorke, *such member was found,* and the Gallery continued thus closed to the end of the Inquiry, which lasted more than a month. —— The public, who felt very acutely upon the subject of the death-dealing and inglorious enterprize; in whose minds the scandalous squabbles, intrigues, and duelling of the cabinet ministers were still fresh; and whose petitions (as far as petitions had been presented) had been treated, by the king's servants, with unparalleled contempt: the public, seeing themselves thus shut out from all chance of hearing, in detail, the real causes of such immense sacrifices in men as well as in money, very loudly and generally expressed their indignation at this act of exclusion, which indignation was more immediately levelled against Mr. Yorke, as being ostensibly the author of it.—— At this time, MR. JOHN GALE JONES, the manager of a Debating Society, called the "BRITISH FORUM," issued an advertisement in the following words: "Windham "and Yorke. British Forum, 33, Bedford "Street, Covent Garden, Monday Feb. 19, "1810.—Question:—Which was a greater "outrage upon the public feeling, Mr. "Yorke's enforcement of the Standing "Order to exclude strangers from the "House of Commons, or Mr. Windham's "recent attack upon the Liberty of the "Press?—Last Monday, after an interesting discussion, it was unanimously "decided, that the enforcement of the "Standing Orders, by shutting out "Strangers from the Gallery of the "House of Commons, ought to be censured as an insidious and ill-timed attack upon the Liberty of the Press, as "tending to aggravate the discontents of "the people, and to render their Representatives objects of jealous suspicion." —— This advertisement was, by Mr. Yorke himself, complained of in the Honourable House, who, having first commanded the Printer of the advertisement to appear before them, and found, through him, that Mr. GALE JONES was the author of it, dismissed the Printer, and, having commanded Mr. Gale Jones to be brought before them, did, *without any trial,* without any *oath being made against him,* order him to be sent to the jail of Newgate, there to be kept *during their pleasure.* —— SIR FRANCIS BURDETT, who, from indisposition, was absent at the time when this measure was adopted, made, on the 12th of March, a motion for the enlargement and discharge

* See an account of the Debate, in this Volume, page 161.

of Mr. Gale Jones, upon the ground, that the House had no legal authority to send him to a jail, or to punish him in any way whatever. This motion was negatived, and Mr. Gale Jones remained in jail for having said that Mr. Charles Yorke had *outraged the public feeling*, by his motion to exclude the people from the Gallery of the House.—— Sir Francis Burdett, not satisfied with what he had done in behalf of the Liberty of the Subject, resolved to publish his Speech of the 12th of March; but, I must here stop a moment to notice what, in the meanwhile, had befallen Mr. Charles Yorke, who, being a *county* member, had, in shutting the Gallery, assumed an air and a tone of great *independence*, and seemed to say, that he had no understanding with the ministry, and was merely following the dictates of his own mind as a loyal *country-gentleman*. In three weeks from the day that he first made the motion for shutting the people out of the Gallery; in three weeks from that day, this *county* member, this big-talking *independent* man, this *king's friend*, this good loyal *country-gentleman*, was openly acknowledged to have been appointed A TELLER OF THE EXCHEQUER, a sinecure office worth 2,700*l*. a year. The acceptance of this office having, of course, compelled him to vacate his seat, he, as a matter of course, expected to be re-elected by the freeholders of Cambridgeshire; but, to their great honour, they hooted him from their presence, drove him away covered with reproaches, and chose another member in his stead.——At the time, therefore, when Sir Francis Burdett made his motion for the discharge of Mr. Gale Jones, the public in general, and especially the constituents of Mr. Charles Yorke, had given undeniable proofs, that they regarded Mr. Yorke's conduct as a monstrous *outrage upon the public feeling*. The marquis of Tavistock and Mr. Brand, two members of the House, had, at the election at Cambridge, gone, in their expressions, very far indeed beyond Mr. Gale Jones, in speaking of the conduct of Mr. Yorke. Still, however, Mr. Gale Jones was kept in jail by the order of that House, from which Mr. Yorke had, by the freeholders of Cambridgeshire, been expelled. The very persons who had, for twenty years, sent him to the House; his very neighbours and friends; even these now shut him out of that House, and principally because he had done what Mr. Jones simply called an *outrage upon public feeling*: yet was Mr. Jones still shut up in jail; still kept in jail, by an order of that House, and *during its pleasure!* Aye, *during its pleasure!* Expressly, *during its pleasure!*——It was under these circumstances, that Sir Francis Burdett resolved to *publish*, addressed to his constituents, the Electors of Westminster, the whole of the Argument, which he had made use of in the House, upon the subject of Mr. Jones's imprisonment; which resolution he soon afterwards fulfilled, and the publication was first made in the Political Register of Saturday the 24th of last month.——On Monday, the 26th, complaint was made of this publication, in the Honourable House, by a right worthy member of the same, named LETHBRIDGE, one of the members for Somersetshire, of whom (for every thing belonging to such persons should be known) I have some anecdotes to give upon a future occasion; and especially about *his opinions, expressed to me*, at Bath (at the time of his first election), relative to the disgraceful and infamous practices of the borough-mongering trade. This gentleman it was, who complained to the House of Sir Francis Burdett's publication. The ministry seconded and supported his efforts; and, after having postponed the discussion of the subject for more than a week, the House, on Friday morning, the 6th of April, after a debate of fourteen hours, or thereabouts, the Honourable House came to a Vote, first, that Sir Francis Burdett's publication was a libel upon the House and a breach of its privileges, and, second, that he should be imprisoned in the Tower. A warrant for his commitment was, accordingly, issued by the SPEAKER to the SERJEANT AT ARMS, which Warrant was as follows:

"*Veneris, 6° die Aprilis*, 1810.

"Whereas the House of Commons hath "this day adjudged, That sir Francis "Burdett, baronet, who has admitted that "a Letter, signed 'Francis Burdett,' and "a further part of a Paper, intituled, "'Argument,' in Cobbett's Weekly Re- "gister of March 24, 1810, was printed "by his authority (which Letter and Ar- "gument the said House has resolved to "be a libellous and scandalous Paper, re- "flecting on the just Rights and Privileges "of the said House,) has been thereby "guilty of a Breach of the Privileges of "the said House:——And whereas, the "House of Commons hath thereupon or- "dered, that the said sir Francis Burdett "be, for his said offence, committed to

" his Majesty's Tower of London:—These " are therefore to require you to take into " your custody the body of the said sir " Francis Burdett, and then forthwith to " deliver him over into the custody of the " lieutenant of his Majesty's Tower of " London:—And all mayors, bailiffs, she- " riffs, under-sheriffs, constables, and head- " boroughs, and every other person or " persons, are hereby required to be aid- " ing and assisting to you in the execu- " tion hereof;

" For which this shall be your sufficient " Warrant.

" Given under my hand, the sixth day " of April, 1810.

" CHARLES ABBOT, Speaker.*

" *To the Serjeant at Arms*
" *attending the House*
" *of Commons, or his*
" *Deputy.*"

The Serjeant at Arms, anxious, apparently, to shew, towards Sir Francis, that respect, which is felt so deeply by all good men, sent him a note, upon receiving this warrant, expressing his desire to wait upon him and to see him into the Tower at the time and in the manner most agreeable to himself. In answer to this note, Sir Francis wrote, that he " should be " at home to *receive* the Serjeant at his " house in Piccadilly, at 12 o'clock, the " next day, Saturday." The Serjeant went to sir Francis's House before this answer reached him, and there he received a repetition of the answer, whereupon he retired, leaving Sir Francis to suppose, that he would return to him the next day, at the hour appointed. But, about 8 o'clock the *same evening* the Serjeant came again, and, telling Sir Francis, that he had received a severe reprimand from the Speaker for not having imprisoned him in the morning, proceeded to attempt to execute his warrant; whereupon, Sir Francis refused to become his prisoner, and, in as mild a way as possible, put him and his messengers out of the house, sending, at the same time, the following letter to the Speaker:

SIR, *Piccadilly, April 6th*, 1810.

When I was returned in due form, by the Electors of Westminster, they imagined that they had chosen me as their Trustee, in a House of Commons, to maintain the Laws and Liberties of the Land; having accepted that trust, I never will betray it.—I have also, as a dutiful Subject, taken an oath of allegiance to the king to obey his laws, and I never will consent, by any act of mine, to obey any set of men, who, contrary to those laws, shall, under any pretence whatever, assume the power of the King.—Power and Privilege are not the same things, and ought not at any time to be confounded together—Privilege is an exemption from power, and was by law secured to the third Branch of the Legislature in order to protect them, that they might safely protect the people; not to give them power to destroy the people.—Your Warrant, Sir, I believe you know to be illegal. I know it to be so.—To superior force I must submit; but I will not, and dare not, incur the danger of continuing voluntarily to make one of any association, or set of men, who shall assume illegally the whole power of the realm; and who have no more right to take myself, or any one of my Constituents by force, than I or they possess, to take any of those who are now guilty of this usurpation. And I would condescend to accept the meanest office that would vacate my seat; being more desirous of getting out of my present association, than other men may be desirous of getting profitably into it.—Sir, this is not a letter in answer to a vote of thanks, it is in answer to a vote of a very different kind—I know not what to call it—but since you have begun this correspondence with me, I must beg you to read this my answer, to those, under whose order you have commenced it.

I remain, Sir,
Your most obedient humble Servant,
FRANCIS BURDETT.

In the course of Friday evening and night there was much noise amongst the people, strong and tumultuous expressions of indignation, and some acts of violence, confined, however, to the breaking of windows, of which acts I shall have to speak more fully by-and-by.——On the Saturday morning the Serjeant at Arms, with his messengers, went again to the house of Sir Francis, and were again turned out.——Soon after this a troop of the Life Guards arrived in the street, opposite Sir Francis's house, and used means for dispersing the people, who continued to assemble in great numbers near the house.——Sir Francis, upon the appear-

* This Warrant is very different from that, under which Mr. Gale Jones was committed. See present Volume, page 448.

ance of the military, sent for the assistance of the civil power, and the Sheriffs and their constables came.——The same tumultuary proceedings continued through Saturday night; and, on Sunday, an immense assemblage of people was kept up, the whole of the day, in Piccadilly, who committed no other violence than that of compelling, on pain of being pelted with mud, every one that passed to pull off his hat in honour of Sir Francis.——In the mean while the Cabinet had, it seems, met, and an order had been transmitted from the War-office, in every direction, for *every regiment within a hundred miles of London*, to march thither forthwith.—— A little before 11 o'clock on Monday morning, the Serjeant at Arms, accompanied by Messengers, Police officers, and a large military force, broke violently into the house of Sir Francis Burdett. Sir Francis was sitting with his family, and on the appearance of the Serjeant, asked by what authority he broke into his house. The Serjeant produced the Speaker's warrant, which Sir Francis refused to obey, and demanded if it was intended to be executed by military force? The answer was in the affirmative. Whereupon Sir Francis commanded them to desist in the king's name, and called upon the Sheriff for his aid. It was answered, that the Sheriff was not there; and Sir Francis then said, that they should not take him but by force, which they accordingly did, and hurried him through a double file of soldiers drawn up in his own house to a glass coach which they had in waiting for the purpose.——He was now conveyed to the Tower, escorted by an army thrice as numerous as the army at Guadaloupe, against which *ten* of our generals marched! I remember; aye, I do remember well, with what *studied*, with what *premeditated contempt* Sir Francis was treated, when he made his proposition about *parliamentary reform*; and having that in my mind, I cannot help copying, from the Morning Chronicle of Tuesday, the 10th instant, the description there given of this grand military exploit.——"The procession moved from Sir Francis Burdett's house in the following order;—two squadrons of the 15th Light Dragoons, two troops of Life Guards, with Mr. Read the magistrate, at their head—the coach with Sir Francis, two more troops of Life Guards, a troop of the 15th Light Dragoons; two battalions of Foot Guards, marching in open order: and a party of the 15th Light Dragoons forming the rear. In this order they proceeded to Albemarle-street, where they halted, and then turned up that street, with the exception of two battalions of Foot Guards, who marched forward through Piccadilly, the Haymarket, and Strand, to the Tower.—The escort proceeded along Albemarle-street, Bond-street, Conduit-street, across Hanover-square into Oxford-street, along John-street, Great Portland-street, Portland-road, the New-road, Mary-le-bone, by Pentonville, across Islington, along the City-road to Moor-fields, from thence by Sun-street into Aldgate High street, and along the Minories to the Tower.—The procession went on at its outset at a quick rate; and the capture having been made at an earlier hour than the crowd had been in the habit of assembling, the event was not immediately or generally known. The baronet had passed up Albemarle-street, before a cry was set up, "*They* "*have taken him—they have dragged him out* "*of his house.*" The cry spread immediately far and wide; and an immense crowd soon attended the cavalcade, which increased to such an extent, that by the time Sir Francis reached the Tower, the crowd had blocked up the Minories, and all the streets in its vicinity, and it became impossible for cart or carriage to pass. Additional preparations had been made in the contemplation of a disturbance near the Tower. Troops were stationed near it, and a fresh regiment came up by water from Tilbury-fort this morning. They were quartered in the New Mint, Tower-hill.—The Foot Guards who had marched along the Strand and through the city arrived upon Tower Hill five minutes before 12. They came down Mark-lane, headed by the City Marshal, and a Civil Officer. They drew up three deep in the line from the Tower-gates, which were shut, covering the entrance.—Ten minutes past 12, an officer of the 15th Light Dragoons rode smartly out from Jury-street, by the further side of the Trinity House, making signals for the mob to clear the way. Great shouting and scampering.—A quarter past twelve, arrived about 20 of the Horse Guards, who rode up towards the Tower-gates. At the distance of 100 yards came about 300 of the 15th Light Dragoons, then about 200 of the Horse Guards, having in the middle of them the coach containing Sir F. Burdett.—The windows of the coach were all down; Sir Francis sat on the right, behind; he sat

forward, and was well seen. As he passed there was much huzzaing, the guards flourished their swords to intimidate the mob.—After the Horse Guards came about 200 more of the 15th. As the procession entered by the further side of the Trinity House, it came on Tower-hill in a serpentine form, and the military spectacle was very grand.—This state of things remained for full half an hour, the carriage covered by about 200 Horse Guards, the line of Foot Guards stretching from it up Tower-hill, the 15th lining the sides of Tower-hill, to keep off the mob, which began to disperse.—The two squadrons of the 15th light dragoons opened right and left, and cleared the ground in all directions, forming a circle, two deep, around the entrance, through which the remainder of the force, with the prisoner, proceeded without any material interruption; though there was much hooting and huzzaing—"*Burdett for ever;*" and some who had taken refuge within the palings, even pelted the cavalry, who, in return cut at them with their swords, happily without any material injury on either side. Many of the mob were, however, forced into the Tower ditch, but without mischief, as there was but little water. On the arrival of the carriage at the gate, Sir Francis alighted, and was received with the usual formalities; the gate was immediately shut." Several *Cannon were fired* at the Tower to announce, that the prisoner was arrived; that the *capture had been completed;* that the *enterprize had been crowned with success!*——Every part of the town was, on Monday night, [illegible]ded by troops; cannon were planted in several of the squares and streets; not only all the divers barracks and depots were filled with soldiers, but guards were mounted in private houses that happened to be uninhabited. In short, in and about London, there was by Monday night, and still is, an army, supposed to amount to not much short of *fifty thousand men!*

Such is the history of the imprisonment of Sir Francis Burdett in the Tower. His conduct, *subsequent* to the passing of the vote for that imprisonment, has been, in many of the news-papers, a subject of much animadversion; and, therefore, I shall now proceed to offer some observations thereon, reserving for a future opportunity what I have to say, in addition to what I have said in a former Number, as to the nature of the publication, for the making of which the Honourable Baronet has been imprisoned.

Upon an occasion like the present, it would have been silly to expect either the tongue or the pen of calumny to be idle. Sir Francis Burdett will not, I dare say, have been at all surprized at what has been published in the news-papers, during the last three days. He will not have forgotten the out-cry that was set up at the time of his publication about "THE ACCURSED RED BOOK," when he was, just as he is now, told that "even *his friends*" disapproved of his conduct; that "his "*best* friends lamented that he had such "bad advisers;" that he was "a *tool* in "the hands of artful men;" but that "thank God, he had now *thrown off the* "*mask*, and discovered the *cloven foot.*" I remember asking, at the time, how long it had been since cloven feet had been covered with masks. But, nonsense as the whole of it was, it was to *do for him.* Even those who had voted for him "*began to repent,*" it was said. And the "loyal" actually congratulated one another upon the publication of the RED BOOK letter, as being the very thing, and the only thing, to sink and destroy him in the minds of the people.——Well! it is now about three years since the Red-Book letter was published. He has been repeating the sentiments of that letter, from that time to this, as often as he has had an opportunity? and, what is the effect? Why, an *army* is brought to put him in the Tower. The Honourable House is offended with him; they censure his conduct; they order him to be imprisoned; but, the obeying of the order, the putting of the order in execution, requires the presence and the aid of *an army.* A dozen of constables would have sufficed to convey any other man to the Tower; but, to convey thither this "imprudent" man, who had "disgusted all his friends," and who, according to the opinions of some wiseacres, would "not "be elected again by the people of West-"minster, if he were expelled," demands the aid of an army. This bare circumstance of the calling forth the aid of an army, says more than whole volumes; it is an eloquent and convincing fact; it is an argument, to which no answer can possibly be found.

The animadversions on Sir Francis's conduct, subsequent to the vote for sending him to the Tower, embrace several points, amongst which is that of his pretended *breach of promise with the Serjeant at Arms.*——Now, in the first place, I can-

not discover any proof of his ever having *made* the Serjeant a promise, that he would surrender to him without any resistance. I am fully persuaded, that no such promise, either express or implied, was ever made. If it be true, that he told the Serjeant, that he should be "*happy* to *receive* "him," these words do not, to me, appear to mean, that he should be ready to go with the Serjeant. If he had given me such an answer, I should at once, have supposed, that he had not made up his mind as to the course to be pursued, and that, when I came to him again, I should know what his intentions were. Besides, it is, I think, pretty evident, from the Serjeant's own statement, that he could never, at any time, believe, or suppose, that Sir Francis meant voluntarily to yield obedience to the warrant; for, he allows, that at the very first interview, Sir Francis told him, *that he meant to write to the Speaker*; and, what should the Serjeant suppose that such letter was to contain, if not a remonstrance against the execution of the warrant, which the Speaker had issued against him, and of which the Serjeant was the bearer? Then again on the Monday morning, the soldiers were in the house, before the Serjeant went up stairs; showing very clearly, that the original intention on that day, was to execute the warrant by military force.——But, it appears, that, at the time when the Serjeant received the pretended *promise* to yield, he also made *his promise*, namely, to wait upon Sir Francis *the next day at twelve o'clock*. Instead of this, what does he do? Why, he returns, and attempts to execute the warrant *at eight o'clock that same night*. This was a very material circumstance; a change of vast consequence; for, though it was clear enough, that there were many persons to wish that Sir Francis might be hurried off in *secret* to the Tower, he himself did not, nor could he, wish it. After being treated in the manner he had been, it was very natural for him, if he must go to prison, to wish to be surrounded by his friends, and especially by his constituents. If I am told, that the promise of the Serjeant was not positive, I answer, that it was as positive as that of Sir Francis. If promises at all, they were both promises by implication; and, at any rate, a breach of the one necessarily put an end to the obligation created by the other.——So much for this pretended *breach of promise*, which, like all the other charges, has been invented in the vain hope of enlisting ignorance and fear under the banners of falsehood; under the banners of calumniating corruption.

The next charge is, that Sir Francis Burdett had in his house with him, during the time of his resistance, Mr. Roger O'Connor, brother of Arthur O'Connor, who, some years ago, was exiled for having been guilty of *treasonable acts*.—— Now, without inquiring into the circumstances, which might be, and, I am pretty sure were, perfectly accidental, that brought this gentleman into Sir Francis's house at the time referred to, is there any man prepared to say, that his being there, and that his being a friend of Sir Francis, are any proof of Sir Francis's having a seditious intention, as has been most basely insinuated by one of the persons who has written upon this subject? It is misfortune enough in all conscience, for a man to have a brother guilty of, or charged with, wickedness, without having a participation in that guilt imputed to himself. What would be thought of any one, who should reproach *General Despard* with being the brother of the unhappy *Colonel* of that name? What would be thought of the man, who should, as connected with any political question or struggle in which the *Duke of Leinster* or *Lord Robert Fitzgerald* might take a part, attack the cause in which they might be so engaged, upon the ground of the charges which existed against and which led to the tragical end of their amiable and gallant and honest though unfortunate brother:——Aye, say you, but these are *loyal* men. That is to say, they *agree with you in politics*. But, prove to us, then, thou basest of calumniators; give us some proof; state some one instance to us in proof, that Mr. O'Connor is *not a loyal man*, or be content to pass for an insinuating coward; be content to pass for a wretch, who attacks without daring to risk your carcass. ——The ancient moralist, in order to give his disciples a strong picture of unprincipled power, of barefaced insolent injustice, tells them, that the Wolf, having accused the Lamb of an offence, and being answered, that, at the date of the offence the Lamb was yet in his mother's belly, replies, "well, if it was not you, *it was your "father*;" whereupon the tyrant flew at the poor inoffensive creature and tore him to pieces.——I remember, that, when a child, this fable excited in my mind indignation at the conduct of the Wolf;

and will not my readers now participate with me in indignation at the conduct of the man, who, regardless of the feelings and the consequences to Mr. O'Connor, has made this insinuation for the purpose of pointing at an inference injurious to Sir Francis Burdett, and with the base hope of diminishing that popularity, the indubitable evidences of which had stung him to his envious soul?——There are, I am aware, persons to say, that, though Mr. O'Connor may have no harm about him, still, for the sake of *preventing misrepresentation*, would not Sir Francis do well to keep aloof from that gentleman? To such persons I would put this question: how should *you* like it, were any friend to keep aloof from you on such a ground? And again: would you trust in the public principles of that man, who for fear of exposing *himself* to the misrepresentations of the world, would turn his back upon, or shun his private friends? Such a course would, indeed, be that of a truly ambitious, aspiring and dangerous man. The precisely opposite course has been that of Sir Francis Burdett, who, the more his friends have been traduced, has stuck the closer to them; and this has not a little contributed towards the establishing of that opinion of his constancy, which opinion nothing now can shake.

The next charge against Sir Francis is his *having written the Letter to the Speaker*. ——Now, upon the nature of this letter it is not my intention to offer any opinion at all; nor is it necessary, because its purport is too clear to be mistaken by any one. I shall consider merely, whether it was or was not *consistent* with the rest of the writer's proceedings.——It has been asked, in some of the newspapers, what *use* it could be of; and, seeing what has happened in consequence of it, it is not a little surprizing to me, that any one should have asked, or thought of, such a question.——Suppose the letter had not been written. Would there have been wanting persons to say, that Sir Francis was *subdued*; that the Honourable House had *beaten* him; that, after all his show of resistance, after all his struggles, he was reduced to silent submission to the rod of the House? But, this letter, by braving the power of the House, brings the parties again into a new struggle. Sir Francis renews the attack, and the House, having nothing but the power of *expulsion* left, does not exercise that power. Much has been said, in the public papers, about the *reason* for this forbearance; but, it seems to be universally acknowledged, that the real reason was, that the expulsion would produce a *re-election*, though there are one or two writers, who have been foolish, sottish enough, to suppose, that, if Sir Francis were to be expelled, the people of Westminster *would not re-elect him*. Why not *try* them, then?——Had not this letter been written, the matter never could have stood in this light. A light, in which the popularity of Sir Francis stands most conspicuous. He says, in fact, to the House, I will not belong to you *voluntarily*. I, therefore, give you an opportunity of appealing again to my constituents, whether they will still *compel* me, as they now do, to make one of your body.——This letter, therefore, is perfectly *consistent* with all the other proceedings of Sir Francis; and, if he had not written the letter, or done some other act tantamount to it, there would have been a manifest inconsistency; and, indeed, he would have stood upon ground, in some respects, *disadvantageous*. There would, in that case, not have been less out-cry raised against him than there now is, while there would have been trading politicians enough to throw out the threat of expulsion; whereas, as things now stand, no such threat can be used. And, indeed, it is this circumstance; it is the having reduced them to the dilemma either of recommending the *trying a new election in Westminster*, or, of *acknowledging that it would be unsafe to try that experiment*; it is the having reduced them to this dilemma, which has so enraged the writers in favour of corruption, which rage is a pretty good proof of the *effect* of the letter, about which so much has been said.—— As to the *matter* of the letter, whatever it may possess, in other respects, it certainly contains *nothing new*. All the same sentiments have been, by the writer, expressed before, a hundred times over, in the House and out of it. There is in it not one word expressive of anarchical or democratical principles. It does, indeed, contain a point blank attack upon the House, as at present constituted; but, is there any thing *new* in this? Has he not before said, that he never would call that House *the House of Commons* any more? Did he not call it *a room*? And, did not Mr. Pitt give it, long before the immortal motion of Mr. Madocks, many much harsher names? What, then, is there in this letter of a nature so to stir men's gall? Why, as I said before, its offensiveness

consists in its producing a conviction in the mind of the nation, and in conveying to the whole world the acknowledgment, that, though expelled by the House, Sir Francis would be again instantly returned by his constituents, whose numbers are so great, and whose good sense and public spirit, and whose purity in matters of election, are so universally acknowledged.

From motives of exactly the same sort springs the charge of *having made a too long resistance.* There was, the OUTS tell us, no *use* in pushing resistance *so far;* and, that a mere *protest* would have been sufficient for the purpose of "*trying the "right.*" Trying the right! What use was there in that, in Sir Francis's view of the matter? He had denied the right. He had asserted the warrant to be illegal. What nonsense is it, then, to talk about getting a *trial* of that right? Just as if any trial could alter *his* opinion about the illegality of the warrant!——But, can the Whigs, who have, in all sorts of places, fallen upon him, tooth and nail, upon this occasion; can these wise persons discover no other *use* in resistance than that of "trying the right?" It is very odd, but it really does not seem ever to have occurred to them, wise men as they seem to be, that trying the *might,* might possibly, be thought, by Sir Francis, to be of full as much use as "trying the *right.*"—— Aye, there's the rub! There's the sting! By his protracted resistance he showed, that the Honourable House *stood in need of an army,* to enforce its orders against him. By this resistance he gave the public a practical illustration of what he had so long been impressing upon them in theory; a lesson not to be rubbed out of their minds by any thing that can be done by any description of persons.——No wonder that corruption and peculation and would-be corruption and peculation should be enraged at him! No wonder at all! Perverse fellow! What, not go quietly to the Tower; not slip away thither through the bye-lanes and alleys; not steal, as it were, into the prison, to which the Honourable House had ordered him to be taken; not get off from his house *in the dark!* What a perverse, what a cross-grained, what an unreasonable man, not to take all the measures in his power to prevent the people from showing their regard for him! There are those, amongst the Whigs, who pretend to approve of all that he did up to the *barricadoing of his door.* Aye, to be sure, approve of any thing short of what brought *the army to town;* approve of any thing short of what produced those proofs, those unequivocal proofs of popularity, of public devotion to him and to his principles; approve of any thing but what produced the *undeniable proofs,* that the people are with him; with the man, whom upon all occasions, they have endeavoured to misrepresent and to blacken; and whom, if he had gone off to the Tower without this degree of resistance, they would have represented in all manner of contemptible lights. They would have cracked their stupid jokes upon him, on all occasions; he would have been the constant butt of their Joe Miller jests; they would have turned round completely upon him, and would have lost no opportunity of representing him in a fallen state, in a state of humiliation. This would, too, have had its effect, in distant parts of the country, and abroad; but, as things now are, there is no joking; nothing ridiculous; nothing out of which any old battered mountebank rake can hammer an at-once stupid and spiteful jest. No: all is serious now; the circumstances of his imprisonment are calculated to excite fear rather than fun. Corruption does, indeed, see her great enemy going to a prison; but, she, at the same time sees, that it is necessary to call forth an army to take him thither. She would have chuckled indeed, could she have seen him hurried along, like a shop-lifter, between two constables; but, the army! oh, the army to conduct him! Horse, foot, and artillery! "Down" she cries, with Macbeth, "down! down! damned sight! thou "sea'st mine eye-balls!"——This is the sting in the bosom of corruption; and, without the protracted resistance, this sting could not have been inflicted.——Where, I should be glad to know, are we to look, among the enemies of Sir Francis Burdett, for an example of what they now preach up as fit for *his* use? When have we ever seen any of *them* shun occasions of receiving marks of popular applause? On the contrary, have we not seen them courting that applause in the most shameless manner? There are, perhaps, not a few of them, who have even gone so far as *to draw up, with their own hands, Votes of Thanks to themselves,* and have got them passed at county-meetings and other assemblies. Besides, where is that man amongst us, who, at the close of a series of treatment such as Sir

Francis Burdett had received, was ordered to a prison; where is the man amongst us; where is the man in the world, who, under such circumstances, would *shun* the applause of his friends, merely because the expression of that applause would be mortifying and embarrassing to his enemies?——After all, however, the end, which Sir Francis had principally in view, in this his protracted resistance, must have been that of shewing to the nation and to the world, that for the Honourable House to be able to put him in prison, *it was necessary to call in an army.* This fact; this fact, which speaks so plainly for itself that it needs no comment; this fact, which so clearly demonstrates to the whole world what some people before doubted or affected to doubt; this fact, which is all eloquence, and speaks in a voice much louder than that of the cannons at the Tower; this fact, so necessary to be known, has, to every human creature in the kingdom, been made known, and well known too, by the so-much-censured protracted resistance.

Impudence, we would have thought, might have been contented with the foregoing charges. One would have thought, that even the hardihood acquired in the practice of the law, unchecked by any spark of native modesty, might have been thus satisfied. One would have supposed, that, however brazen the front or callous the heart, and however profligate the companions of a man, it would still have been impossible to find, even in such a man, impudence sufficient to assert (as one or two writers have done) *that the violences which have been committed are chargeable on Sir Francis Burdett, and that the blood which has been spilt is upon his head.* Why not charge him, at once, with being the author of Mr. Lethbridge's motion? Why not charge him, with having caused poor Gale Jones to be committed? Why not charge him with causing Mr. Yorke to shut up the Gallery? In short, why not charge him, at once, with the Walcheren Expedition? Surely nothing ever was so impudent as this; nothing, surely, ever discovered so complete a contempt for the sense and discernment of the public. The public, however, are not to be so deceived. The public are not to be brow-beaten out of their senses. The public well know, that Sir Francis Burdett has killed nobody; that neither he nor his servants have maimed or lacerated any body; that they have insulted nobody; and, that they have been the cause of none of the evils and disgraces that have taken place.——One, more impudent than the rest of these accusers, charges Sir Francis with having hoisted *the standard of insurrection.* Where, in the first place, let me ask, has any symptoms of insurrection appeared? Where? In what part; and in *what act?* In the breaking of windows? When my windows were broken, and my doors dashed in, at the Peace of Amiens, there was no talk of *insurrection;* and, when one of the actors, who was a Clerk in the Post-Office, was brought to trial, he produced, in order to obtain mitigation of punishment, a letter from Lord Auckland, then one of the ministry. When the drenched Jubilee mob broke the windows of my friend Mr. Bosville, it was not called a symptom of *insurrection.* In both these cases the assemblage was a *drenched* mob; but, not a word did we even hear about *insurrection.*——But, what had Sir Francis Burdett to do with the window-breaking? He was shut up in his house. Let, then, his accusers find out some *proof* of his having instigated to these tumultuous proceedings, or let them stand convicted of the most base calumny.—— Whose windows did the people assail? Those of Lord *Castlereagh*, Lord *Wellesley*, Lord *Chatham.* And why should Sir Francis Burdett wish them to select these persons? The windows of Mr. Yorke and his friend Mr. Lethbridge were, indeed, also attacked; but, the whole proceeding proves, that it was a sort of involuntary movement of the people, who had, as far as *setting on* upon the ministry went, received a much greater impulse from the Whigs than from any body else, they having represented the ministry in such an odious and detestable light.——As to Sir Francis Burdett, he made no speeches to the people; he addressed no letters or paragraphs to them; nor did any of his friends make either speeches or addresses in his behalf; there were no placards, nor were there any words or letters written on the walls, tending to stir the people up to acts of revenge; and (which is to be well marked) from the beginning to the end, there has been, neither in Sir Francis's language, nor in that of any of his friends, nor in that of the people, one single syllable heard, which could possibly be tortured into a meaning hostile to the *king*, or the *kingly government*, or to the *kingly authority*, in any shape, or in any degree. On what, then, do these accusers

ground their charge of "raising the standard of Insurrection?" On what fact do they ground this charge? Insurrection *against whom?* Against *what?* Why, against Corruption: against Boroughmongering; against Seat-Selling; against Public-Robbery. Against these, indeed, Sir Francis Burdett has constantly raised the standard of mental Insurrection; against these he will still, I trust, continue to raise that standard, until they shall have been fairly subdued. But, what had he to do with the violences committed at the houses above named? He might as well be accused of the issuing of the Speaker's Warrant. It is said, that, *if he had not protracted his resistance*, the people would not have broken any windows; but, there was a still more certain way of avoiding the danger; and, what, I pray, should prevent Sir Francis from saying: *if the Speaker had not issued his warrant*, there would have been no resistance, and, of course, no acts of popular violence, supposing those acts to have been produced by the resistance.——I have seen it complained of by one stupid writer, that Sir Francis Burdett showed but *little love of liberty* by keeping *a tyrannical assemblage before his door*, compelling every one that passed, to pull off his hat in honour of their favourite representative.——Now, in the first place, though I dislike a *tyrannical assemblage* full as much as this stupid writer, and though I would almost as lief have my soul ground out of my body as to pull my hat off, or shew any mark of respect, at the command of such an assemblage, still, I must say, that the token of honour being demanded for another, and *not for themselves*, would have rendered the mandates of this assemblage much more palatable to me.——One cannot help smiling at the anger of this Whig writer, who, after all manner of efforts, to misrepresent, circumvent, and blacken the character of Sir Francis, felt himself under the necessity either of going a mile or two round, or of pulling off his hat in honour of the man, whom he wished to see destroyed in the public opinion; aye, in the opinion of those very persons, who compelled him to take his circuitous route, or to pull off his hat!——*Tyrannical*, however, as this was, what had Sir Francis to do with it? He issued *no* such orders, or advice, to the assemblage in the street. The Honourable House had ordered him to be seized and put into a prison. He was endeavouring to resist what he deemed an illegal warrant. The people of Westminster appear to have thought him right. They showed their respect for him, and their dislike of his enemies. And, was *he* to blame for this? Was *he* to blame if the people became rude and violent?—— There is something exceedingly impudent in the preferring of this charge; yet, it is not without its solid reason. Many persons have been *killed and wounded by the soldiers*; since the vote for sending Sir Francis Burdett to the Tower, and since the issuing of the Speaker's Warrant, many persons have been *killed and wounded by the soldiers*; many persons have been *cut and hacked*; many parents, children, relations, friends, and neighbours have been filled with grief, accompanied, in all probability, with feelings of another sort. This is well known; and, therefore it is not surprising, that the well-known enemies of Sir Francis Burdett, that all the writers, who, at all events, never fail to support Corruption and Peculation; it is not at all surprising, that these persons should all join in their endeavours to make the people believe, that all the cuttings and hackings and bruisings and killings *were occasioned by Sir Francis Burdett.* This is not at all surprising; but, it would be very surprising indeed, if the people did believe it; and, I will venture to say, that there is not a soul of them, who does not treat the accusation with the scorn that it deserves. What! was it, then, Sir Francis Burdett, who ordered out the Horse Guards? Was it he, who caused them to shoot people and to chop them? The people were killed and wounded at a distance from his house; his servants were engaged in no affray; he did nothing to stimulate men to shoot or to chop: he had, in fact, nothing at all to do with the matter; and, unless it be blameable in a man to be confided in and beloved by the people; not the smallest particle of blame attaches to him for any of the violences that have been committed or any of the blood that has been spilt.—I shall not imitate the writers upon whose conduct I am commenting: I shall not point out any person or persons, as having the blood of the killed upon their head: I shall leave that matter to the good sense and the justice of my readers; but, I cannot help exhorting such of the people as my Register may reach, to reflect well before they fix upon *the objects* of their blame, in this respect. Soldiers are but mere machines; they are bound to implicit obedience; a refusal to

obey is mutiny; mutiny is punished with death. The people should, upon such occasions, therefore, bear this in their minds; and should, besides, consider, that men in red coats have *feelings* as well as other men, and cannot be expected to bear without resentment the scoffings and peltings of the people, whom, in fact, *they* have done nothing to offend. The people should bear in mind, that the soldiers are their *own countrymen*; that they have, in reality, all the same interests, as to public matters, that the people have; that they are their sons and their brothers and their nephews; and, that though there may be, and doubtless are, persons who may, upon some occasions, endeavour to persuade the Soldiers, that they have an interest separate and different from that of the people, the fact is not so; for that all of us, whether clad in red coats or in brown coats, must, in the end, be equally affected by every public measure.——Before I dismiss this part of the subject, I cannot refrain from offering a remark or two upon the *attacking of houses*, and the *firing at and wounding people employed by the civil magistrates*, as is set forth in the king's Proclamation of the 10th of this month*. Till I saw this proclamation, I had never heard of any *firing at any persons*, by any body, except the firing by *the soldiers*; nor have I yet heard of but *two* cases of such firing, though I have been in town ever since Monday at three o'clock, and have made very diligent inquiry into the matter. The first of these cases is that of a man, who is said to have fired at a Thief-Taker in the neighbourhood of Covent Garden, and who, as the news-papers state, is a *Surgeon from Edinburgh!* I hope "THE PHILOSOPHERS" are not sending up their pupils to get us into their crucible? At any rate, if this account be true, here is nothing very alarming.——The other case is that of an Officer of the Guards, when upon guard in the neighbourhood of the Honourable House, having been shot at by some person unknown, at midnight last Monday.——For the apprehending of those who may have been guilty of this offence, there is a separate advertisement published by the Secretary

* BY THE KING.—A PROCLAMATION.

GEORGE R.—Whereas a great number of disorderly persons have, during the four last days, assembled themselves together in a riotous and tumultuous manner, and have been guilty of many acts of outrage, having *attacked the houses of many of our loyal subjects* in several parts of our city of Westminster, and having *fired at and wounded several of our subjects employed by the Civil Magistrates in keeping our peace*, and in preventing such unlawful proceedings: We, therefore, taking the same into our most serious consideration, and being fully determined on our part to use all means in our power to protect the lives and properties of our loyal subjects, to preserve the public peace, and to bring to condign punishment the authors of such violences, have thought fit, by and with the advice of our Privy Council, to issue this our Royal Proclamation, and thereby strictly to charge and exhort all our loyal subjects to give their assistance in discountenancing and suppressing all illegal outrages and assemblies, and to give all information to our Magistrates, by which the disturbers of our peace may be brought to punishment: And we do hereby enjoin and require all Justices of the Peace, Sheriffs, Mayors, Bailiffs, Constables, and all other our loving subjects, to be aiding and assisting to the utmost of their power in suppressing such illegal and tumultuous assemblies, and in detecting, apprehending, and bringing to justice the persons concerned in assembling or instigating the same, and guilty of any of the violences above-mentioned. And for the better detection of the persons who were concerned in firing at and wounding our said subjects employed by the Civil Magistrates in keeping our peace, and in preventing such unlawful proceedings: We are graciously pleased to promise, that if any person shall discover any other person or persons who, directly or indirectly, was or were concerned in firing at and wounding any of our subjects as aforesaid, so as that the person or persons discovered may be prosecuted for the same, such discoverer shall have and receive, as a reward, upon conviction of such offender or offenders, the sum of FIVE HUNDRED POUNDS, and also our gracious Pardon for the said offence, in case the person making such discovery shall himself be liable to be prosecuted for the same, and shall not be one of the persons who actually fired at, or wounded, any of our loving subjects as aforesaid.—Given at our Court at the Queen's Palace, this 10th day of April, 1810, in the Fiftieth year of our Reign.

GOD SAVE THE KING.

of State,* and, I have no scruple to say, that I most sincerely wish that the man, *be he who he may*, who *made the hole through this officer's hat*, may be swung upon a gibbet; but, while I say this, I would venture my life upon the point, that, if the *plotting* miscreant could be discovered he would be found to be one of the *bitterest enemies* of the cause of the People, of the cause of Reform, that Reform, which, root and branch, would cut up Corruption and Public-Robbery.——There is something rather mysterious about this last-mentioned shooting. I know the spot well where it is described as having taken place; and, no man should have shot at me in the relative situation described, without my ascertaining something about the shooter.———At any rate, as it is manifest, that the cause, in which Sir Francis Burdett is engaged, must suffer from any act of this sort being committed by any one zealous in that cause, *Sir Francis must necessarily deprecate all such acts*, and nothing short of the *proof* shall make me believe, that any friend of Reform; that any friend of Sir Francis Burdett; that any one, who has ever been numbered amongst the friends of public liberty, has been guilty of such an act. The enemies of Sir Francis Burdett choose to lay all these acts at his door; but, let the public bear in mind these two facts: that, it is his interest that no such acts should be committed; and it is the interest of his enemies that such acts should be committed.——By way of conclusion to this part of the subject, I beg the reader to observe, that SEVERAL *shootings* and *woundings* too, are mentioned in the king's proclamation; and, I think, he will be of opinion, with me, that we should bear this in mind, and endeavour to find out, by-and-by, *who those persons are* that have been shot at and wounded, besides those who have been shot at and chopped by the soldiers. This is of the last importance. The king commands us all to endeavour to ascertain *who the shooters were*; and, though we may not be able to succeed in this, we shall, if they are ever to be found, easily find out, who are the persons that have been *shot at, and wounded*, other than those who have been shot at and wounded by the soldiers.

That description of political writers, who are called Whigs, have, upon this occasion, acted a part truly worthy of themselves. They fall, tusk and claw, upon Sir Francis Burdett, and vow that they will, one and all, *rally round* His Majesty's Government. Some of them, indeed, affect to make a distinction, and to say, that they will rally round *the Honourable House*. Just as if the Honourable House, who (it must afford the nation great satisfaction to be acquainted with the fact) has *an army* to defend it by *land*, and a *squadron of armed boats* to defend it by *water!* stood in need of any assistance from these miserable turn-coat writers! What! while the troops, horse and foot and artillery, are stationed in such numbers in and about Westminster, and while a squadron of armed boats lies at anchor in the Thames, ready to defend the House on the sea side, shall a parcel of sneaking Whig writers have the audacity to talk as if the House stood in need of their "*rallying* round it?" No: the House stands in need of none of their assistance. It is (I most sincerely thank God for it) safely defended, both by land and water. ——Well, then, it is the *Government*, round which these Whigs mean to rally? That is to say the *Ministry*; for, as to the *King*, Sir Francis Burdett resisted in the king's name, and in *that name* he will still demand justice; for he is not to be *abused* into the belief,

---

Whitehall, April 12, 1810.

WHEREAS it has been humbly represented to the king, that about twelve o'clock on the night of Monday last, as Ensign John Stephen Cowell, of the Coldstream Regiment of Foot Guards, who was on duty in Old Palace-yard, Westminster, was proceeding from thence to the Horse Guards for orders, when he got about half-way between the passage near St Margaret's Church and the end of the railing, heard the report of a gun or pistol very near him, of which he saw the flash; in consequence of which his hat went off, and he found upon examination *that a ball had passed through his hat*. And whereas there is every reason to believe that such gun or pistol was wilfully and maliciously fired by *some evil disposed person*. His Majesty, for the better apprehending and bringing to justice the person who fired such gun or pistol, is hereby pleased to offer a reward of five hundred pounds to any one who shall discover and apprehend the said offender, to be paid on conviction by the Right Hon. the Lords Commissioners of his Majesty's Treasury. —R. RYDER.

that he is the *injuring* and not the *injured* party.——What, then, will these shabbaroon Whig writers, rally round the *Ministry!* Meanness unparalleled! Rally round those, whom, but the other day, they called upon the nation to condemn! Rally round those, whom to support they declared would be a proof of the parliament's being a terrible national scourge! What, rally round the authors of the Walcheren Expedition! Rally round those, whom they have loaded with every opprobrious epithet and term; and, whom one of them has denominated "the *Demon of England!*" Rally round the "*Demon* of England" will you! Aye, let them; and let them, if they can, persuade the people to follow at their heels.——It is, as the reader will recollect, scarcely a week, since these Whig writers were using their utmost endeavours to rouse the *counties* and *great cities*, to do what? why, to petition the parliament for a *turning out of the ministry*, that is to say, to use means most unconstitutional, in order to *force* the king to dismiss his servants. The House had decided the question of Walcheren, and the Whigs *appeal from the House to the people*. That was for the purpose of turning out their opponent party: that was for the purpose of getting into power. Now they *condemn* Sir Francis Burdett, not for appealing to the people (for he has made no appeal at all) but for so acting as to gain the approbation of the people, in opposition to a Vote of the House. For this crime; for this would they tear him to pieces; for this cause have they recourse to all manner of base insinuations against him; and, *at the very moment when they, underhanded, are at work to stir up the counties and great towns against the ministers*, they, in order to give weight to their revenge against Sir Francis Burdett, declare that they will rally round those very Ministers?

I had more to say, but my remaining space is small; and I wish in conclusion, to address a few words to the friends of Reform.——I would exhort them to *moderation* and *patience*. The violent proceedings of our enemies; all their calumnies, all their abuse, all their attempts to vilify us, will not do so much injury as any one act of our own, which shall bespeak violence or impatience. We need be neither violent nor impatient. Violence generally proceeds from consciousness of a *bad cause*, and impatience from *doubt of final success*. Neither of these do we feel. Our cause is good; and, if we give it time, its success is certain. We stand in need of no artificial means of forcing it forward; none of those political hot-beds, called Clubs and Societies, which never did yet, in any part of the world, produce good and wholesome and lasting fruit, great as have been the talents and good as may have been the intentions of many of their members. We want no cabals; no juntoes; nothing secret. Open appeals to the plain good sense; to the innate love of freedom in the breasts of Englishmen; to their honesty and their love of country; these are all that we want.—— What do we ask for? Nothing more than Lord Chatham said was absolutely necessary to prevent our becoming the vilest slaves in existence; nothing more than what Mr. Pitt and Mr. Fox, and Mr. Grey, have all said was necessary to save this nation from utter ruin. They have all said, that, without Reform, ruin must come upon us. Is the hour of that ruin at hand, or is it not? Well then, are we to be called *insurgents* and *rebels* because we ask for this Reform? One party told us, not many days ago, that the other party was every thing that was execrable, and that if they were not *punished* the Honourable House was what I will not describe. Well: what did the Honourable House? Why, did not even censure; nay, *approved*, gave their *approbation* to what the first party solemnly declared must be visited with *punishment*. Yet, now we see that same first party, *rallying round* the latter in order to defend it, and that both may be defended *against the friends of Reform!*——The case is so plain, that there can be no misunderstanding about it. All the world must clearly comprehend it. Time, and every moment of time, and every circumstance in our national situation, and every event that happens or that is to be expected; all work in favour of a constitutional Reform; and, in spite of all that selfishness, which seems, at present, so resolutely bent upon defeating our views, we shall, if we *steadily* persevere, overcome every difficulty, and, I trust, convince even our present opponents, that all our labours tend to restore and to preserve, and not to destroy.

WM. COBBETT.

Westminster, 13th April, 1810.

COBBETT'S
Parliamentary Debates:

The Fifteenth Volume of the above Work is in the Press, and will be published with all proper dispatch. All Communications will be carefully attended to; but it is particularly requested that they may be forwarded as early as possible.

OFFICIAL PAPERS.

NOTES *of the French Official Paper, the* MONITEUR, *on the* KING OF ENGLAND'S SPEECH, *at the opening of the Parliament.*

(Continued from page 320.)

(*Speech.*)—"Whatever temporary and "partial inconvenience may have resulted "from the measures which were directed "by France against those great sources of "our prosperity and strength, those mea- "sures have wholly failed of producing "any permament or general effect."

(*Moniteur.*)—You acknowledge that the measures directed by France against the main sources of your prosperity have produced some effect, but only a temporary effect. We shall point out the reason why that effect has only been momentary, and indicate the remedy. The affairs of Spain have opened to you many ports of that kingdom; they shall be shut against you. —Trieste was for you a place of immense trade; it is now for ever shut against you. Holland, above all, obstructed the result of measures, which derive their force from the uniformity of execution; she has betrayed the common cause; she has received your goods under an American flag, disowned by the United States themselves, or any other cloak; but she shall not receive them any longer. Your Orders in Council of 1807, render it necesary, that the coast and ports of Holland be occupied by French troops, and that shall be done. And, as one of the results of the first and second coalition was the extension of the coast of France to the Scheldt, the result of your Orders in Council of 1807. will be this, to extend the coast of France to the Elbe.. The inconveniencies which you have hitherto experienced in a momentary manner, you shall henceforth constantly experience, and in a manner more severe. It must be confessed, that the exertions required by the continental war, have caused many springs to be relaxed. The peace of the Continent, secured by the union of two great empires, and the adhesion of Prussia, Denmark, Sweden, and Austria, to the same system will impart fresh vigour to all the measures and deprive you of every means to trade with Europe.

You pretend to impose new taxes, in order to subsidize your allies, but we are not the dupes of your allegations. When you lay on new taxes, it is merely to cover your deficit. Your finances are an abyss, of which an enlightened mind only sees the depth. You endeavour to deceive yourselves and to deceive others; the truth will appear, when the bankruptcy shall become general, and the paper-surface, which covers the abyss, be borne down.

(*Speech.*)—"The inveterate hostility of "the Enemy continues to be directed "against this country with unabated ani- "mosity and violence, &c."

(*Moniteur*)—But what then is the proof of this inveterate animosity of your enemy? Did not the two greatest Monarchs in the world concur at Erfurt to offer you peace? Still more lately have you not refused to enter into negotiation, and send agents to Morlaix to treat for an exchange of prisoners of war? The proposal was made to you according to your own insinuations, but you eluded it when presented officially, from fear it should lead to an accommodation. The Emperor of Russia and the Emperor of France desire peace, because they are great and powerful, by the extent and natural riches of their territory. England on the contrary, desires it not; because she wishes to subject the commerce of all nations to an impost regulated by the tarif of her Parliament, to oblige all ships, under whatsoever colours, to come to London, and to arrogate the right of laying a tax on the consumption of the whole world! Let the good genius of England at length open your eyes. Renounce these pretensions which you cannot maintain, which will cause the Continent to suffer, but which will end in your ruin! Restore your maritime law to its footing of six years ago. Repeal those fatal Orders of Council which no power can ever recognise; for the Russians, the French, and the Americans, will sooner recognise your King as King of Petersburgh and Moscow, of Paris, of Venice and of Rome, of Boston and of Baltimore, than submit to the Orders of Council, which are nothing

less than a proclamation of universal sovereignty.

Never was such a speech delivered from the throne of England; and those who make a sovereign speak thus, shew, that in all their actions is as much duplicity as want of prudence and of real greatness. Assuredly, this speech was written by the same hand that drew the instructions to Sir A. Wellesley, in Spain, to Lord Chatham, at Walcheren, and the Orders of Council of 1807. 'Tis the same medley of incoherent and ill-digested materials.

NOTES *from the Same upon the* DEBATES *in* PARLIAMENT.

Debate on the King's Speech in the House of Lords.

Lord Liverpool.—"Austria requested "that we should retain Walcheren until "the Treaty of Peace was brought to a ter- "mination; and however severe the con- "ditions are which she has been compelled "to sign, it is certain that they are very "moderate in comparison of those with "which Buonaparté threatened her; and "there must have been some cause which "urged him to renounce the pretensions "which he in the first instance advanced."

(Moniteur.)—The English Expedition gave us some uneasiness at the beginning of August; by the 15th of that month it was only an object of ridicule. The squadron had gone up to Antwerp, and there were 100,000 men collected in the environs of that place. On the 15th of September, all the accounts from Flushing informed us that the English were dying there by thousands. At that period, the Peace, though not actually signed until the middle of October; was looked upon as concluded. The Austrians, who are acquainted with the Isle of Walcheren, shrugged up their shoulders on finding that the cabinet of London, who extend their geographical discoveries to the South Sea, were ignorant of what every English smuggler and coaster knows, namely, that one cannot, with impunity, sleep in the open air for two nights together, on the coasts of Walcheren, in the months of July, August, Sept. October and November.

It appears, then, that the destinies of the Expedition to Walcheren were terminated, when the Peace was concluded.

Had the English Expedition remained in the Downs, and in the Thames; had the troops remained encamped on the coast in a menacing posture; such a measure might have led us to apprehend a diversion, and might have produced some effect. But after the Expedition took place, when the months of September and October elapsed in giving proofs of the fatal, blundering awkwardness which attends all the operations by land, the Expedition to Flushing entered for nothing into the calculations of the belligerent powers. Besides, the Russians, Swedes, Danes, Prussians, Austrians, Spaniards, are all too well acquainted with the English Government to rely upon its succours. They know that, through the fogs of London, it can see nothing; and that none of the Statesmen of England have carried their political views beyond those of a Merchant of the City in his counting-house. Instead of deliberating, as we may say, on the ground floor, let them ascend to the top of the Tower of London. They will then perceive that it is the interest of England to adopt a policy more generous, and embracing a greater number of objects within its range. But they want the English to be the monopolisers of the world, and consequently the enemies of the world. This sentiment displays itself in all your actions, in all your expressions, because it is the main spring of all your ideas.

You retained the Isle of Walcheren, because, amidst the jarring opinions of the Cabinet, you could not come to any decision; because you were told that the Isle of Walcheren might become a second Gibraltar, and enable you to command the Scheldt. Under this impression, you fortified Flushing, and erected permanent structures. Already materials had arrived for building barracks and magazines. The French soldiers observed you with a secret joy; and, for the retaking of Flushing, with from 15 to 20,000 prisoners, waited only for the month of December and the setting in of the frosts, which would have rendered your retreat impossible. The clamours of your military men, and the evident proof of the plan which the French had in view, gave you good advice.

It was, therefore, your indecision, your false calculations, that made you retain the Isle of Walcheren; and not the intreaty of Austria, who scarcely knew of your landing when she had resolved to make peace, and who knew, better than any other, that she had nothing to expect from it; peace having been actually concluded on the 20th of September, though not signed until the 14th of Octo-

ber. It thence appears, that it could not have been the interest of Austria that made you retain the pestilential Isle of Walcheren during the months of October, November, and December. Anachronisms may be borne with in a matter of ancient history. A mistake of two or three months may even be regarded as of little consequence, with respect to a fact that happened twenty years ago; but in this case with the fact before our eyes, you have the hardihood to assert that during the months of October, November, and December, an English army was ordered to occupy the marshes of Walcheren, or, in other words, that 100 men a day were to be sacrificed for 60 days in succession, to procure more favourable conditions of peace to Austria, who had made her peace at the commencement of October. This is to insult the credulity of the people, and to laugh at the opinion of Europe.

Debate on the same subject in the House of Commons.

Mr *Canning*.—"The subjects of Buonaparté would have then seen, that whilst "he flattered them with narratives of his "foreign victories, they were not secure "from invasion on their own territory."

Moniteur.—What a profound man is this same Mr. Canning! What a great secret he reveals to us! that a superior naval force can effect a landing on our coasts. The French must be very raw indeed, to be ignorant of such a discovery. The English can violate the French territory; but they have never violated it with impunity.

Mr. *Canning*.—"At that period, a disposition was manifested in that part of "his dominions to shake off the yoke of "his tyranny."

Moniteur.—Mr. Canning by this assertion, covers himself with ridicule. If we could open the portfolios of the police, and make known the famous conspirators Mr. Canning talks of, we should discover conspiracies and plots, like those of Drake, who was applied to, merely to ease him of his money, and to know, from himself, what he was about. Men of wonderful ability! They boast of having secret correspondents in France, and they are surrounded by our spies. We read in their Cabinet, and, for a very slight challenge, we could publish the official correspondence of the English Under-Secretaries and their agents, with those whom they call conspirators, and make them the laughing stock and bye-word of Europe. We ought to say thus much to tranquillize the inhabitants of the territory which Mr. Canning, were there any truth in his statement, would denounce to the severity of the laws. The Government has not had to complain of a single Frenchman. There have been correspondences with England; but they were carried on by subaltern agents of the police, under the authority of the Chiefs of that department. Those were the spies of Mr. Canning.

Debate in the House of Lords on the Motion of Thanks to Lord Wellington.

Lord Grey.—"In all these respects the "results of the battle" (of Maida) "were "successful."

Moniteur.—Military Europe will see with astonishment the parliament of England occupying itself about the affair of Maida, a very inconsiderable action, in which 5,000 English had to do with 1,800 Frenchmen, 1,300 Poles, and about 1,000 Neapolitans. The French did not succeed in routing the English, who were under the protection of their vessels. One shrugs up one's shoulders at seeing a Parliament and a nation occupied about so insignificant an affair. A few days after that event, the English re-embarked, happy in having landed on the Continent without being made prisoners.

[Upon the Marquis Wellesley's review of his Brother's campaign, the Moniteur makes the following remarks:—]

Lord Wellesley is extremely *maladroit*. He forgets the march of the Duke of Dalmatia upon Placentia with the 2d corps, of the Duke of Elchingen with the 6th, and of the Duke of Treviso with the 5th; that is to say, in all between 60 and 80,000 men. There is not a word of truth in the whole of this passage. The battle of Talavera was doubtful. The French conducted their attack badly, and committed great faults. But the allied army was superior to the French, as it consisted of 38,000 Spaniards and 26,000 English, whilst the French army amounted only to 45,000 men; and it is a fact that the English were beaten and driven from the field as often as they attempted to attack the French.

(To be continued.)

Published by R. BAGSHAW, Brydges-Street, Covent-Garden:—Sold also by J. BUDD, Pall-Mall,
LONDON:—Printed by T. C. Hansard, Peterborough-Court, Fleet-Street.

COBBETT'S WEEKLY POLITICAL REGISTER.

VOL. XVII. No. 16.] LONDON, SATURDAY, APRIL 21, 1810. [Price 1s.

"I beseech you, for the time to come, that we commit none but our own members; and that we avoid "these old Council Table Warrants, which run in generals, '*during pleasure*;' which was the cause of "that excellent law, got with so much difficulty, called 'The Petition of Right:' That 'for abolishing "'the Star-Chamber, and regulating the Council-Table,' is not inferior to it.—I pray let us remember, "and apply it to ourselves, how dangerous and fatal it hath ever been for kings to extend and stretch "their prerogatives above, and beyond law; for the same fate befel the Council-Table, Star-Chamber, "and High Commission. I pray let us keep ourselves within our sphere, and not make our privileges, "Entia transcendentia, which are not to be found in any predicament of Law."——SIR JOHN MAYNARD'S *Speech in the House of Commons*, 1648. Parliamentary History, Vol. III. p. 959.

"When I said to LORD CHATHAM, What will become of poor England, that doats on the imperfections "of her pretended constitution? he replied, My dear Lord, the good will dispose of me soon enough to "prevent me from feeling the consequences of this infatuation: but, before the end of this century, "either *the Parliament will reform itself from within, or be reformed with a vengeance from without.*"—— EARL BUCHAN'S *Essays on the Lives and Writings of Fletcher and Thomson*: p. 215. Octavo, 1792.

SIR FRANCIS AND PARLIAMENTARY REFORM!

THESE words are the motto of the People of Westminster, and, indeed, of the people of England, who are *now* quite satisfied, that nothing can save them from that ruin and degradation, which was predicted by LORD CHATHAM, but a reform, a *real* reform, a radical reform, in the Commons House of Parliament. Being of opinion, that the present struggle for the personal liberty of the subject, and that all the other struggles, are of no use, and can be of no use, unless as tending towards the producing of that reform, it is my intention, in the present sheet, to offer some observations with respect to the *sort of reform* to be desired, and the *natural consequences of such reform.*

But, before I enter upon these observations, I must beg the reader's patience, while I finish what, for want of time and for want of more full information, I left unfinished last week, in the History, which I gave of the sending of SIR FRANCIS (we may leave out the *Burdett*, for there is but one *Sir Francis* in England) to the Tower, and the remarks which were added, relative to his conduct, subsequent to the Vote of the Honourable House for sending him thither.

The misrepresentations, with regard to the conduct of Sir Francis, during the space from the issuing of the Speaker's Warrant to the time of the actual imprisonment, were pretty well exposed last week. But, upon one point the exposure was not quite complete.——Mortification at witnessing the proofs of Sir Francis's popularity; the envy; the "envy, eldest born of hell," which this set in motion, gave rise to the attempt which was made to propagate a belief, that Sir Francis *had broken his promise* with the Serjeant at Arms. Enough was said, upon this subject, to satisfy any rational man of the utter falsehood of the charge, and, indeed, there is no such man that doubts of its falsehood; but, a little more may, and shall, be done in the way of exposing to public execration those with whom the calumny originated.——On *Friday Forenoon*, about ten o'clock, the Serjeant at Arms wrote a letter to Sir Francis, wishing to know, when it would be agreeable to him for the Serjeant to go to him and conduct him to the Tower. Sir Francis wrote for answer: "Sir, I have just received your polite "letter, and shall be at home to *receive* you "at twelve o'clock to-morrow."——The Serjeant went to him in the evening of the same day (before this letter had reached him); and, parted with Sir Francis upon an agreement, that the Serjeant was *to go the next day at eleven*.—— Instead of this, however, the Serjeant went again *that same night*, and wished to take Sir Francis off *immediately*. Sir Francis refused to go; here began the resistance; and this was called "*a breach of promise*"—— It was before shewn, that Sir Francis's letter to the Serjeant contained *no promise* at all; that, to say, that he should be, "at home *to receive* the Serjeant," was so far from saying, that he should be *ready to go with the Serjeant to the Tower*, that it pretty clearly meant quite another thing; and, that, even supposing Sir Francis, at the first interview with the Serjeant (in

the afternoon of Friday about *five* o'clock,) even supposing him then to have used words that seemed to imply, that he would go to the Tower with him the *next day*, it did not follow, that he broke his promise because he refused to go with him *that night*; though, if such understanding had really existed between them, it is clear enough that the Serjeant would be chargeable with a breach of *his promise*. ——The truth, however, appears to be, that no such promise ever was made by Sir Francis, either by expression or implication. And this truth is manifest from *the Evidence of the Serjeant himself*, which evidence, as published by the Honourable House itself, I have now before me.—— From this evidence, it appears, that the Serjeant, after seeing Sir Francis, in the afternoon of the Friday, about *five* o'clock, went to the Speaker; and, that, it was *in consequence of what the Speaker said to him*, that he altered his mind about the *time* of putting the warrant in execution, and that he went to Sir Francis about *eight* o'clock, in order to put his warrant in execution without delay.——Now, if the Serjeant had *no notion of any resistance;* if he really did understand that Sir Francis meant *to go quietly* with him the next day, *what did he go to the Speaker at all for about the matter?* What could take him to the Speaker?——But, let us hear his own story, as far as relates to this point: ——"A little before *four o'clock* (Friday "afternoon) I went down to the House of "Commons, and was told, that Sir Francis "had been seen going into his house; I "immediately went back, and saw Sir "Francis. He told me that he had writ- "ten me an answer to my letter, thanking "me for it, and saying, that he would be "ready to receive me the next morning "at eleven o'clock; *at the same time he "said he should write a letter to the Speaker.* "I then left him *under the impression* "that he intended to go with me the next "morning; and thinking that the quietest "method of carrying the thing into effect "was the best, and having received the "Speaker's advice when I received the "Warrant to treat Sir Francis with proper "respect and courtesy, or words to that "effect. I may be allowed perhaps to "state at this moment that I had always "conceived that to have been a suffi- "cient notice from myself to a member "of parliament, without serving the War- "rant perhaps in a more regular way. "If I have erred in any way, I trust the "House will consider that I did it from a "proper motive of delicacy; that I wished "to shew proper respect to a member of "parliament upon such an occasion; and "had I wished to carry my Warrant into "effect at that moment, it would I think "not have been in my power, as I had no "assistance with me whatever, and there "was a large mob collected before the "door of Sir Francis's house. *From Sir "Francis's house I went to the Speaker, and "reported to him what had taken place;* and "the Speaker advised me *immediately to go "back and put my Warrant into execution,* "and also advised me *to call at the Secre- "tary of State's Office for any assistance I "conceived necessary to enable me to execute "my Warrant.* I was detained at the "Secretary of State's Office till *half past "seven*, and then was attended by Mr. "Clementson to Sir Francis Burdett's "house. On our being admitted to him, "I told Sir Francis that I was sorry to in- "form him that I must name an earlier "hour for his removal, and shewed him "the Warrant for taking him into cus- "tody, which he read. Sir Francis then "said, that he disputed the legality of the "Speaker's Warrant, &c. &c."——Then follows matter about which there is no dispute.——Well, then; look at this evidence. We see, that, at the very first interview, Sir Francis told the Serjeant, that he should send a letter to the Speaker. Why should he tell him that, unless something had been said about resistance to the warrant; or, at least, if Sir Francis had meant to obey the warrant? But, supposing the Serjeant to have conceived the notion, that Sir Francis meant to write the Speaker a letter of *compliments* or of *thanks;* still what carried the Serjeant in post-haste directly from the house of Sir Francis to that of the Speaker? Why should he go and make "a *report*" to the Speaker, unless *something material* had occurred? What had he to report upon, if Sir Francis and he were perfectly agreed as to the time of going to the Tower; and, if no resistance was apprehended? I think, that a very small portion of even common sense is quite sufficient to enable any man to perceive, from these circumstances, that the Serjeant must, at the very *first interview*, have received an intimation, that Sir Francis meant to resist the execution of the warrant, and that, of course, the charge of breach of promise, on the part of the latter, has no foundation.——But, what does the Speaker say,

upon the report being made to him? Why: "go and execute your warrant "*immediately.*" And, for *what reason?* Why should he give this advice, if he was told, that it was understood between the parties, that Sir Francis would go quietly the next day? *Why*, I again ask, should the Speaker wish to push on the Serjeant thus? Oh! but he does not stop there! He advises the Serjeant besides, to call, in his way, "at the Secretary of State's." And *what for?* What does the Speaker advise him to call there *for?* Oh! only "for *any assistance*, that he conceived "*necessary to enable him to execute his* "*warrant.*" —— Bravo! Here is a delightful story! The Serjeant goes to the Speaker, and, having told him that Sir Francis meant to go with him to the Tower very quietly, the Speaker advises him to call at the Secretary of State's office for any *assistance* that may be necessary to *enable him to execute his warrant!* ——As if, however, this was not enough, the Serjeant is so good as to give the Honourable House a little *positive* testimony to the same point.——The reader will bear in mind, that the Serjeant's first interview with Sir Francis was about *five o'clock* on Friday, and that his second interview with him was about *eight o'clock*, or, at least, later than *half past seven.*—— Well, now, observe, the Serjeant tells us, above, that he left Sir Francis, at *five*, "under the impression that he intended "to go with him the next morning."—— Bear the *hours* in mind, and then hear him again. He is asked; "At *what hour* on "Friday did you first inform the Speaker, "that Sir Francis Burdett meant to resist "the warrant?" Mark his answer: "Be- "tween *five* and *six.*"——This is pretty complete, I think. And yet there are men so base; there are turn-coats so vile as to pretend to believe, that Sir Francis, at the first interview, promised the Serjeant that he would go with him to the Tower!—— But, I shall be told, that the Serjeant as positively declares the direct *contrary* of this in another part of his evidence. He does so; but, let it be observed in what manner the contradiction is extracted from him.——We will take the dialogue just as it stands. The *Speaker*, we must bear in mind, is the person who puts the questions to him here.——"*Mr. Speaker.* "If the Serjeant has any doubt upon this "point, and one or two other points, I "would beg to state to the House the re- "collection I have upon the subject. In "the early part of his evidence, the Ser- "jeant did appear to intimate, that he had "informed me that resistance was to be "expected from Sir Francis Burdett when "he saw me here at the House, and the "House was sitting; *I wish the Serjeant to* "*recollect*, whether when he came to me, "the House then sitting and I in my pri- "vate room, and when I asked him whether "he had brought the receipt of the Lieu- "tenant of the Tower for his prisoner, he "did not at that time mention, that on the "contrary, it was then settled between "him and Sir Francis Burdett *that he should* "*go the following day?*—YES. —— *Mr.* "*Speaker.* Did you not afterwards see me "between nine and ten o'clock at night, "after you had seen Sir Francis Burdett "the second time, and after you had read "the warrant to him, and after Sir Francis "Burdett had answered that he *should* "*resist that Warrant?*—YES. —— *Mr.* "*Speaker.* Recollecting these two conver- "sations with me, at what time do you "*think it was that you first* informed me of "Sir Francis Burdett's intention to resist "the Warrant?—THE LAST. —— *Mr.* "*Speaker. And not the first?*—*And* NOT "THE FIRST, *undoubtedly.*——*Mr. Speaker.* "So that the first intimation from you to "me of the intention of Sir Francis Burdett "to resist the warrant, *did not come to me* "*till between nine and ten on Friday night.*— "No."——This, the reader will observe, is precisely the contrary of what the Serjeant before positively asserted. *Which* of the two ought to be believed must be left to the judgment of the reader. But, still there remains the fact, which was no where contradicted, that, at the *first* interview with the Speaker, the Speaker did advise the Serjeant "to call at the Secretary of "State's office for any *assistance* that "might be necessary to *enable him to exe-* "*cute his warrant;*" advice which it seems quite impossible to reconcile with the assertion, that Sir Francis had *promised to go to the Tower the next day*, and that he had *intimated no intention to resist.*——This matter is now fully and fairly before the public. What I have now said upon it, was not at all necessary in vindication of Sir Francis; but, it may be of great use as an exposure of his and the people's *worst* enemies, who raised the cry of breach of promise against him with a view of disguising the base motives of their openly deserting a cause, which, whenever their interests might require it, they always would have been ready to betray.

There has been something said about *the disowning* of Sir Francis by his *former friends*, which it is proper to notice here. ——In the debate, in the Honourable House, of the 16th instant, Mr. CANNING is reported to have said, that he had changed his opinion of "the *great offender* "*in the Tower*. Of that offender he "should at present only say, that the "*good opinion* which *he* before expressed, "and certainly entertained, of him, he "*now completely revoked*. For he could not "help thinking of that person's conduct as "*all his own former friends* professed to do." ——Oh! unhappy Sir Francis! Miserable man! Mr. Canning; aye, *Mr. George Canning*, has revoked his *good opinion* of you! Awful denunciation!——Nor is this all: he is reported as having said, that all your "former friends" have done the same.——But, *who are* those *friends* to whom Mr. Canning is said to have alluded. Who does he mean? Why did he not *name* somebody? He does not know, I imagine, who are the friends of Sir Francis. There is, indeed, a Mr. LYTTLETON, a member of the Honourable House, under whose name a paragraph has been published in the news-papers, and who, in the said paragraph, is said to have made a declaration, that he, *though with* EXTREME ANGUISH, *felt himself impelled to abandon the Honourable Baronet, both as a* PRIVATE *and a* POLITICAL FRIEND. Now, it is but right, that the world should know, that this gentleman has *never been admitted into the house of Sir Francis in his life*; that there was not even any *acquaintanceship* existing between them, except merely what might have taken place *in the House of Commons*; and, in short, that in the usual sense of the words, Mr. Lyttleton was neither a *friend* nor an *acquaintance* of Sir Francis Burdett. The reporters, therefore, (for they all agree) must, I should hope, have made a mistake; for, though there may be, when the purpose is friendly, nothing very blameable in a man's putting forward claims of friendship with another; yet, when the purpose is unfriendly, there is certainly something very blameable in it, and especially under circumstances similar to those, which existed at the moment, when Mr. Lyttleton's claim is said to have been made.——It is very rare that *private* friendships are *suddenly* formed after men arrive at Sir Francis's age. The friendship, which we must be supposed to have in view, in a case like the present, is friendship, or attachment, from *public principle*; and, whether Sir Francis has *lost* any thing in this way, the demonstrations of public feeling, during the last fifteen days, pretty clearly evince. If Mr. Lyttleton was present at, or within hearing of, the shouts of the Westminster Meeting, on *Tuesday last*, the 17th instant, he must, I should think, want little more to convince him, that Sir Francis finds wherewith to console him for the loss of Mr. Lyttleton's "friendship;" aye, and for that of Mr. Canning's "*good opinion*" into the bargain. ——In truth, these are very miserable expedients. They have not the smallest effect upon either the character or the influence of the person, to operate against whom they are intended. To the mass of the people, to those who possess the physical strength, and in whose breasts the popular enthusiasm boils, they are quite incomprehensible; with intelligent men, those who possess the directing mind, they are subjects of ridicule; and have an influence with those only, who in times like these, are, as to public matters, of no more consequence than the flies or the worms.——Were it not for that wilful blindness with which the enemies of Sir Francis, or, rather, of his principles, are, and always have been afflicted, those enemies would perceive that it is perfectly vain for them to endeavour to sap the foundation of his public character. This character has not been raised by the means of any *trickery*. It has grown out of a long series of exertions for what he has deemed and what the people believe to be *the public good*. He has never, during the whole of his career, sought the gratification of his own interest. He has never abandoned any principle, for which he has contended. He has never yielded to circumstances. No party has, at any time, been able to warp him from the straight line of his duty. *Self* has, in no case, been considered by him. A desire to see his country free and happy seems, at an early age, to have seized fast hold upon his mind; and, it is clear, that, whatever some persons may *affect* to believe, the general, and almost universal persuasion, is, that he is the truest friend that England possesses. If his own conduct had left this persuasion incomplete, it would have been completed by the conduct of his enemies; who, upon no occasion, have lost an opportunity of treating him with despite. From these causes he has been raised to a height of popular favour, which, perhaps, no man before him ever

attained and, this popularity he will, I am confident, never use for any other purpose than that of securing the freedom and the happiness of his fellow subjects, and of supporting the true dignity, the lawful privileges and prerogatives of the parliament and the king.——The people have not failed to notice the maliciousness, which has been, by *all* men in power, displayed towards him; the infinite pains that have been taken to misrepresent his character and his views; the hypocritical arts which the less bold have resorted to for this purpose; and, in short, the endless contrivances which the friends of corruption have made use of against him. All these have been observed: the people have been deceived by none of them; but, on the contrary, these contrivances have tended more, perhaps, than any thing else, to defeat the purpose of the contrivers. No matter what set has been in power, the Pitts, the Addingtons, the Foxites, the Castlereaghs, the Percevals: it has still been the same with respect to him. They have all shewn their hatred of him. They have very justly described one another; they have said of one another what was very true; but, whenever the object has been to attack him, *both sides have cordially joined*, as they did in the case of the accusation against Castlereagh and Perceval, charged with trafficking in seats, and which accusation they resolved, 310 to 85, not to hear.——All this the people have noticed; and the consequence is, that there exists an almost universal persuasion, that Sir Francis is the man on whom the greatest reliance ought to be placed; a persuasion, that he is the nation's best friend, and that, were it not for him, the people would be treated worse than they are; a persuasion too, which is by no means unjust.——And, is a man like this to be put down, is it imagined, by the clamours of trading anti-jacobins, now united with feelosopheecal Writers to the Signet? The patrons and disciples (for they are both) of the latter may be made to believe that this is possible; but, I imagine, nobody else, in the whole kingdom, can be found stupid enough to entertain such a belief.

I shall now resume the history of the *Military Operations*, connected with Sir Francis's commitment to the Tower. During this famous campaign there was one act, which must be recorded. After the main body of the army had marched off, in different directions, to support the Escort, who had made the capture, and who were conducting Sir Francis to the Tower, there remained a body of horse near the house in Piccadilly, whence Lady Burdett and some of her family were taking coach to go to some other house. When her ladyship got into the carriage, and was about to drive off, the people rushed forward, took the horses from her carriage, and were preparing to draw her themselves. But, this mark of honour they were prevented from shewing her by the horse soldiers, whose commander did, in a most gallant manner, make a charge upon the people and cause them to retreat. This is a matter of very little consequence in itself; but, perhaps, nothing more clearly shews the spite, the poor, pitiful spite, by which the enemies of Sir Francis were, and are, animated.——In my last, were noticed, and, indeed, inserted, the King's Proclamation and the secretary of state's Advertisement, relating to certain alledged *shootings* at and *woundings* of, persons employed by the magistrates. Great rewards were, in those advertisements, offered for the discovery of the offenders. *Five hundred pounds* in every instance. Well, now let us hear *a fact*, on the other side.—"On Saturday, the 14th instant, a "Coroner's inquest was held, at the King's "Head, James-street, Westminster, on the "body of James Pledge, who died in the "Westminster Hospital on Friday morning, "in consequence of a wound he received "from a pistol, on Saturday night, 7th of "April, shot off by a soldier of the Life "Guards.—It was stated in evidence by a "companion of the deceased, that about "half past ten at night, he and the de-"ceased were standing peaceably at the "top of Church-court leading into Jer-"myn-street, when two gentlemen ran "out of Piccadilly, saying, "the soldiers "are coming," and ran to the bottom of "the court. A soldier rode by the top of "the court, but turning round, on seeing "the people there, he levelled his pistol "at them, and shot the deceased, who was "taken to the Westminster Hospital, and "died on Friday morning. Mr. White, "a surgeon, gave evidence that the wound "was the cause of the deceased's death. "The Jury returned a verdict of WIL-"FUL MURDER AGAINST A LIFE "GUARDSMAN UNKNOWN."——Here, then, is no conjectures. Here is proof of a MURDER having actually been committed. Here are no *shootings at* and *woundings*. But, I have, as yet, seen no

advertisement for a REWARD for discovering the unknown murderer. The murderer is a *soldier*, to be sure; but, still he is a murderer. There is an express advertisement offering a reward of 500 pounds for discovering the person who shot a hole through *Ensign* Cowell's hat. But, here we have *proof* of a shot being fired through a man's heart; and though this man was a bricklayer's son, he had parents and relations to leave behind him, and he had a life to preserve as well as *Ensign* Cowell. Why, therefore, I should be glad to know, do we not see a reward offered for the discovering of *this* murderer? This bricklayer's life is full as dear to the community as the life of an *Ensign*, or that of any of the *Thief-Takers*; and, therefore, I shall think it well worthy of particular notice, upon a future occasion, if a reward should not be offered for the discovery of the murderer.——I shall now, before I proceed any further with the history of the *Campaign*, give an account of the *Proceedings of the Electors of Westminster*. The moment their member was committed to the Tower, and, indeed, as soon as the Honourable House had passed the Vote for that purpose, the Electors of Westminster published their intention to hold a meeting, with a view of publicly expressing their sentiments with respect to what had passed.—This meeting took place, as was before mentioned on Tuesday, the 17th instant. Aye, here it was that Mr. Popsonby and Mr. Parker and Mr. Canning and Mr. Dudley Ward and Mr. Curwen might have *seen*, whether it was likely for Sir Francis to be *re-elected*, in case the Honourable House had expelled him; in case he could be expelled by that Honourable House who would not inquire into the grounds of the immortal motion of the morning of the 12th of May in the Year of Jubilee. Here it was that they might have heard, from the unanimous shout of *forty thousand people*, what was the public sentiment with respect to Sir Francis.—— This meeting very far surpassed, in point of number, any thing ever before seen even in this great and public-spirited city; and, the result shewed, that, when the people receive no insults and no acts of violence, no violence is to be apprehended from them. These forty or fifty thousand people assembled and separated without the hair of any one's head being touched, though, the very sight of them might, perhaps, make some men's "hair stand on end."—— The business of the meeting was opened by Mr. Sturch, who, though a plain tradesman in the city of Westminster, is much abler, even as a speaker, than nine-tenths of those that one hears in other places, with all their insolence of pretensions. I have always much admired this Mr. Sturch, who is a man of plain sense, plain manners, and plain dress; meet him in whatever country you might, you would, at once, know him for a true Englishman. Mr. Wishart, who, I am very glad to perceive, seconded Mr. Sturch, is much about the same kind of man; which, indeed, is the general *stamp* of those men, who stand forward to guide the popular feeling in Westminster, and any one of whom is worth a thousand feelosophers from Edinbro'.——This nation has long enough been cajoled and cheated by trading politicians; but these "good men "and true" of Westminster have not only discovered the cheat, but appear to have resolved to put it out of countenance. What a shame! What a reproach to us, that we should seem to acknowledge that we stand in need of the wits of a set of half-starved speculating politicians, to be imported from Edinbro', and who, if well sifted, would be found destitute of almost every thing but roguery and impudence. ——At the Meeting, a set of *Resolutions* was first passed; and, as in these Resolutions expressed, that a Petition and Remonstrance should be presented to the Honourable House, and also that an Address should be presented to Sir Francis, these were read at the Meeting, and I shall now insert them here, beginning with

The Resolutions.

"Resolved.—That we most highly approve of Sir Francis Burdett's Letter to "us his Constituents, the subject being of "the utmost importance, and the argument incontrovertible.

"That Sir Francis Burdett's conduct in "calling upon the Civil Power for the "Protection of his House against a Military Force was dictated by prudence, "knowledge of and confidence in the "Laws of his Country.

"That the House of Commons be called "upon to restore to us our beloved Representative, and to co-operate immediately "with him in his endeavours to procure a "fair Representation of the People in "Parliament.

"That the Petition now read, be "adopted, that it be signed by the High

" Bailiff and Twenty-five Electors, and " delivered to our remaining Representa- " tive the Right Honourable Lord Coch- " rane, to be by him presented to the " House of Commons.

" That a Letter be addressed to Sir " Francis Burdett, expressing our full and " entire approbation of the whole and " every part of his conduct as a Member " of Parliament.

" That the Letter now read, be adopted; " that it be signed by Electors in the name " of this Meeting, and that the High Bai- " liff be requested to present the same to " Sir Francis Burdett.

" That the Thanks of this Meeting be " given to our worthy Representative the " Right Honourable Lord Cochrane, for " his support of Sir Francis Burdett, dur- " ing the present arduous struggle.

" That the Thanks of this Meeting be " given to those Independent Members of " the House of Commons, who have sup- " ported the Rights of the People.

" That the Thanks of this Meeting be " given to Arthur Morris, Esq. High Bai- " liff, for his ready compliance with the " Requisition of the Electors, and for his " able and impartial conduct in the Chair.

THE REMONSTRANCE.

" *To the Honourable the Commons of the* " *United Kingdom of Great Britain and* " *Ireland in Parliament assembled.*

" The Petition and Remonstrance of the " Inhabitant Householders, Electors of " the City and Liberties of Westmin- " ster, assembled in New Palace Yard, " the 17th day of April, 1810, by the " appointment of Arthur Morris, Esq. " High Bailiff, in pursuance of a re- " quisition for that purpose.

" We, the Inhabitant Householders, " Electors of the City and Liberties of " Westminster, feel most sensibly *the in-* " *dignity* offered to this City, in the person " of our beloved Representative, whose " Letter to us has fallen under the censure " of your Honourable House, but which, " *so far from deserving that censure,* ought, " in our opinion, to have led your Honour- " able House to reconsider the subject " which he had so ably, legally, and con- " stitutionally discussed.—We are con- " vinced that no one ought to be prosecu- " tor or juror, judge or executioner in his " own cause, much less to assume, accu- " mulate and exercise all those offices in " his own person.—We are also convinced, " that the refusal of your Honourable " House to inquire into the conduct of " Lord Castlereagh and Mr. Perceval (then " two of his Majesty's Ministers), when " distinctly charged with the *Sale of a Seat* " in your Honourable House, evidence of " which was offered at the Bar by a Mem- " ber of your Honourable House; and " the avowal in your Honourable House, " ' that *such practices were as notorious as* " ' *the sun at noon day;*' practices, at the " bare mention of which, the Speaker of " your Honourable House declared, ' *that* " ' *our ancestors would have startled with in-* " ' *dignation;*' and the committal of Sir " Francis Burdett to prison, enforced by " military power, are circumstances which " render evident the imperious necessity " of *an immediate Reform* in the Represen- " tation of the People.

" We, therefore, most earnestly call " upon your Honourable House to re- " store to us our Representative, and " according to the Notice he has " given, to take the state of the Re- " presentation of the People into your " serious consideration, a Reform in " which is, in our opinion, the only " means of preserving the Country " *from military despotism.*"

THE ADDRESS TO SIR FRANCIS.

" SIR—We nominated you to be our " Representative without your knowledge, " and we elected you without your inter- " ference. We were confident that you " would perform the duties of a Repre- " sentative in Parliament with ability and " fidelity. In every respect you have not " only fulfilled but exceeded our expec- " tations. We derive the utmost satisfac- " tion from having pointed out to the na- " tion the way to be fairly represented. " Had it been possible, that our example " could have been followed and a proper " Representation thereby produced, the " scenes we have lately witnessed would " not have disgraced our Country.—— " We understood the nobleness of your " mind, and were confident that you would " not descend to barter your trust for a " place under Government, nor be the " partisan or leader of those who support " or reject measures just as they happen " to be proposed on this or that side of " the House.—We feel the indignity that " has been offered to you, but we are not " surprised to find, that when every ex- " cuse is made for public delinquents, that " the utmost rigour is exercised against " him who pleads for the Ancient and

"Constitutional Rights of the People.—"You nobly stept forward in defence of a "fellow subject unjustly imprisoned, and "you questioned with great ability and "knowledge of the laws, the warrant is-"sued upon that occasion; the House of "Commons have answered your argu-"ment by breaking into your House with "a military force, seizing your Person, "and conveying you by a large body of "troops to the Tower.—Your distinction "between Privilege and Power remains "unaltered: the Privileges of the House "of Commons are for the protection, not "for the destruction of the People.—We "have resolved to remonstrate with the "House of Commons on the outrages "committed under their orders, and to "call upon them to restore you to your "Seat in Parliament, which the present "state of the Country renders more than "ever necessary for the furtherance of "your and our object, a Reform of the "Representation in that House.—While "so many Members are collected toge-"ther by means 'which it is not neces-"sary for us to describe,' we cannot "but entertain the greatest apprehensions "for the remainder of our liberties; and "the employment of a military force "against one of their own body, is but a "sad presage of what may be expected "by those who, like you, have the cou-"rage to stand forward in defence of the "Rights of the People.—When we re-"flect on your generous exertions to de-"stroy the horrors of secret and solitary "confinement; to mitigate the severity "of punishment in the army; to prevent "the cashiering of its officers without "cause assigned; to restore for the com-"fort of the worn out soldier, the public "property conveyed by a job to a private "individual; to prevent the extension of "the barrack system, the obvious effect of "which is to separate the soldier from the "citizen; to prevent the introduction of "foreign troops; to bring to light an atro-"cious act of tyranny, by which a Bri-"tish sailor was left to perish on a barren "rock; and above all, your unremitted "exertions to obtain a full, fair and free "Representation of the People in Parlia-"ment; when we reflect on the firmness, "the unshaken constancy which you have "invariably shewn 'in evil report and "good report,' we are eager to express "the sentiments of gratitude and attach-"ment to you with which we are im-"pressed, and we are convinced that those "sentiments are not only felt by the In-"habitants of this City but by every per-"son throughout the land who is not in-"terested in the continuance of public "abuses. (Signed, &c. &c.)"

Now, are not the Electors of Westminster capable of managing their affairs without the aid of Writers to the Signet? I trust that other cities and places will lose no time in convincing the booby pupils and patrons of those trading Politicians, that the people of this kingdom have *spirit* as well as understanding.—— Lord Cochrane and Mr. Wardle attended the Meeting, and both of them made Speeches of considerable length. His lordship particularly dwelt on, and very well exposed the conduct of the OUT faction in *reproaching* the ministers with *not having broken open his colleague's house soon enough.* To be sure, this ought to be borne in mind. It most clearly shows, that, in their hearts, the OUTS have, all along, been full as great, if not greater, enemies of Sir Francis than the INS.—— The speeches at this Meeting are too long to be inserted here; nor, indeed, can I insert any one of them; but, there is one passage in Mr. Wardle's Speech, which is so excellent in itself, and contains so fine an exposure of a part of the proceedings of the assailants of Sir Francis, that I must insert it. He said that, "In the "Argument, addressed by Sir Francis "Burdett to his Constituents, there was "one expression that had been much in-"sisted upon in the course of the discus-"sions upon it, as most offensive and li-"bellous—it was that passage in which "the Speaker's Warrant was described as a "thing SUI GENERIS. Now in order to "shew that this assertion was not altogether "so unfounded as had been pretended, and "as nothing had as yet been said upon "that part of the subject, except in the "Resolutions, he would take the liberty "of trespassing upon their attention for a "few moments, while he proceeded to "trace the progress of this Warrant from "the time of its being issued by the "Speaker, to that of its being carried "into effect. It appeared, then, that the "Speaker, after having drawn up his "Warrant, presented it to the Serjeant, "who proceeded to execute it; but, on "his arrival at the house of Sir Francis, "he stumbles upon the unforeseen ob-"stacle of a closed hall-door [*a laugh.*] "How was this formidable barrier to be "disposed of? The Serjeant looked at

" his Warrant and then at the door, and " could make nothing of either: he found " himself at a loss: neither more nor less " than what they called *puzzled*; and as, " in such cases, sage advice is desirable, " he turns away from the hall-door and " proceeds to consult the Speaker—and " what does the Speaker? Why, he re- " fers to the Warrant, and after due de- " liberation, finds himself just as much " *puzzled* as the Serjeant had been [*a* " *laugh*;] but there was to be another " *puzzle*. The Speaker having advised the " Serjeant to consult the Magistrates, " away goes the Serjeant to the Bow- " street Officers; but they understood " too well the nature of a legal warrant to " be able to make any thing of an instru- " ment with which they were so wholly " unacquainted [*Applauses,*] and so the " Bow-street Officers being as much *puz-* " *zled*, as either the Serjeant or the Speaker " himself, refused to give any advice at all " upon the subject *(a laugh;)* they un- " derstood the laws of the land, but they " did not pretend to the knowledge of a " Speaker's warrant. But there was to " be yet another *puzzle (a laugh,)* and it " was fated that this all potent and undis- " puted instrument of power, that had " puzzled the Serjeant, puzzled the " Speaker, puzzled the Bow-street Ma- " gistrates, and puzzled all the Thief " Takers great and small, was to puz- " zle no less than a Cabinet Council. " *(Laughter.)* The Serjeant, in his dis- " tress, turns from Bow-street to the grave " collected wisdom of Downing-street, " where all the first men of the state, the " learned, the mighty, and the wise, were " assembled together in Council, the Lord " High Chancellor himself, and to crown " all, the *unheard of* talents of the *wise man* " *of the East. (Bursts of laughter,* with " cries of "*we know him well.*") With " all this accession of wisdom, what did " this great Council of State in order to " solve the puzzle? Why, they resolved " upon calling in the Attorney General " to help them—*(laughter.)* As soon as " the Cabinet Council had resolved them- " selves puzzled, the Chancellor of the " Exchequer (himself *a lawyer,)* advises " the Serjeant to ask advice of the At- " torney General—just as all the others " had, after grave deliberations, advised " him to take advice of somebody else. " *(Laughter.)* Well, then, the unfortunate " paper, after travelling so far to no pur- " pose, now that it was before the At- " torney General, might be thought to be " in sight of land *(laughter.)*. Accord- " ingly the Attorney General bears down " upon it with the whole weight of his " legal knowledge, and after studying and " deliberating, and revolving, this great " *Law Officer* gives it as his opinion and " advice, that the Serjeant should lay a " state of the case before him, the At- " torney General. *(Laughter.)* So much " for this plain and explicit piece of paper, " so paramount, intelligible, and indisput- " able, though it puzzled the Serjeant who " was to execute it, the Speaker, who issued " it, the Civil authority that was to enforce " it, the Privy Council that sanctioned it, " and the Attorney General that was to " explain it. *(Applauses.)* But, after puz- " zling so many there remained one party " yet to be puzzled, and that was, a Bri- " tish Jury.—[Here Mr. Wardle was in- " terrupted by the repeated acclamations " of the Electors.]—It perhaps remained " for a British Jury to shew, if not what " it was, for that might be impossible, *what* " *it was not. (Applauses.)* And yet though " it had puzzled the knowledge and the " wisdom of the State, it was A LIBEL to " call it " a thing *sui generis.*" In the " name of common sense, what was it? " He would not quarrel about words, but " was it, or was it not, a thing that nobody " could understand? *(Loud applauses.)* " If it was *usage*, why had it been stated, " upon all hands, that there was no prece- " dent for breaking open outer doors to " enforce it? And if it was *law*, why were " all the great lawyers at such a stand? " Why should it prove such *a stumbling* " *block to a Government of Lawyers?*"—— In taking our leave of this Meeting; this admirable display of public good sense and public spirit, we must not forget to notice, that *all the doors and avenues to the Honourable House* were, upon this occasion, shut and barricadoed, and guarded by constables and other persons; and, that *even the members were not permitted to go in at the usual entrance; but were obliged to go a round about-way, and enter at a bye door.* Why all these precautions? Of *what* and of *whom* could the Honourable House be afraid? Surely they could entertain no suspicion, that the *people* would attempt *any acts of violence against them!* It is really surprising, that the Honourable House should have thought these precautions necessary.——At any rate, the precautions were quite unnecessary; for, as in all former cases, where the people of

Westminster have not been attacked or insulted, not the smallest mischief happened; and this forty or fifty thousand people assembled and dispersed with as little disorder, and with as little indecorous behaviour, as the Honourable House itself. During the whole of the long-contested election of Sir Francis, not an act of violence was committed; and, when he was chaired, after the election, though there were, perhaps, *half a million* of people spectators of the scene, there was not even the most trifling accident. The reason was, that the people were not driven and squeezed about by soldiers; that they were left to their own good sense and mildness of disposition; that the lash was not shaken over them.—The *Petition* and *Remonstrance* was, from the Meeting, carried, at once, into the Honourable House, and there presented by LORD COCHRANE, who moved to have it *laid upon the table.* This was not much, but, even to this, as it is reported in the news-papers, the *Honourable* MR. WARD objected. I shall give the report as I find it in the Morning Chronicle of the 18th instant:——"The "Honourable MR. WARD objected to this. "The petition even in point of form was "inadmissible, in as much as it was en-"titled "A Petition and *Remonstrance,*" "which he conceived to be irregular. "At any rate, the expressions in the body "of the petition were so *indecorous* and "*disrespectful,* that the House would be "*felo de se,* if it allowed it to be laid on "the table."——What! Very good! but I beg the reader to bear in mind, that this MR. WARD is the person, who, at the opening of the present Session, was chosen, on the part of the OUTS, to move an amendment to the Address; or, in other words, a censure upon the ministers.—— Here is another instance of what we should have had to expect from *a change of ministry.*——The minister, MR. PERCEVAL, complained of the language of the Petition and Remonstrance; but, did not oppose its being laid upon the table. So that Mr. Dudley Ward found nobody to support him.——There was a very curious occurrence during the meeting. A couple of *Thieves* made an attempt to levy money in the way of their profession, and, being detected, fled with great speed; but *whither* think you? . . . . . *To the Honourable House;* I mean to the lobby of the House; but, all the usual inlets being, as was stated before, closed and fastened, upon the present occasion, they were caught by their pursuers at the door leading out of Westminster Hall, where, upon stripping them, *fifty pounds,* or thereabouts, in Bank notes, were found under one of their neck-cloths. Their hands being tied together, they were marched off to be taken before magistrates.——I now return to the Military Operations of the Campaign.—It is stated in the news-papers, that, amongst the troops, marched up to London, is the *Cambridgeshire militia,* under the command of their Colonel, *Mr. Charles Yorke.*——On Monday, the 16th instant, was a *Grand Review* of all the cavalry regiments, *in Hyde Park.* The number of troops in and about London is immense. There appears to be what the French call *a cordon* all round the metropolis. On Monday I saw foot and artillery coming down from Hampstead. Cannon were, at one time, placed in Lincoln's-Inn-Fields. Great bodies of horse have, all this week, been parading the streets at night; and the parks and squares and streets all about Westminster seem to be swarming with troops of all descriptions.——The TIMES news-paper of the 17th instant, states, that during the sitting of the 16th, some of the Officers of the regiment, called the *Queen's Bays,* appeared in the Gallery of the Honourable House, *dressed in their uniform,* and that the Speaker sent the Deputy Serjeant at Arms to them, requesting them to withdraw, informing them, at the same time, that the Honourable House permitted no persons except their own members to enter any part of the House in military uniform, *lest it might be supposed, that the deliberations were over-awed by the military!* ——This, if true, is very curious indeed. But, these gentlemen could not possibly mean any offence; nor could they suppose it possible, that the Honourable House had any jealousy of them. They had been sent for, and they well knew they had been sent for, *for the purpose of supporting the Honourable House against some, at least, of the people.* That is to say, for the purpose of causing to be executed a warrant, issued by order of the House: For the purpose of enforcing obedience to the orders of the House, which orders had been resisted by sir Francis, who, it was supposed, was, or would be, supported in that resistance by the people in such numbers as to overpower the peace officers and the magistrates. These Gentlemen Dragoons knew very well, that this was the cause, for which they had been marched up to London; and, therefore, it was

utterly impossible for them to believe, that, after they had successfully encountered the resistance, they themselves could be looked upon with an eye of jealousy by the Honourable House. Oh, no! And it must afford their friends in the country the greatest satisfaction to hear, that the Honourable House sits in perfect security. Why, the number of *General Officers*, now in and about the metropolis, is, I should think, little short of *three dozen*; more, very likely, than Buonaparté has within twenty miles of Paris, though many are, doubtless, assembled there, at this moment, on account of his nuptials. ——It really does seem a little hard upon these Gentlemen of the *Queen's Bays* to be thus spoken of in the news-papers, when it is perfectly notorious, that their best efforts had been used in support of the Honourable House. Having come up for the purpose of supporting the Orders of the House, what could be more natural than their desire just to go and *take a look* at the members, and to hear them a little, especially when the subject of discussion was so immediately connected with the order, which they had been brought to town to cause to be enforced?——The last thing that I shall notice, respecting the Military Operations, is the Secretary of State's circular letter of *Thanks to the Volunteers*.——'Till this letter issued, the name of the *king* had not appeared in the struggle. This, with all those whom I had conversed with, was a subject of great satisfaction. Nobody wished to see the *king's name* brought forward. The struggle was between Sir Francis and the House, and every one seemed glad, that his Majesty and his family were, in no wise, implicated in it. ——The Secretary's Letter is as follows: —"Whitehall, April 12, 1810.—Sir; "Having every reason to believe that the "metropolis is in a great measure restored "to its usual state of order and tranquil- "lity, I lose no time in acquainting you, "that the circumstances which lately "*induced his Majesty to call* for the assist- "ance of the Corps under your command, "towards the preservation of the peace, "no longer make it necessary that they "should remain assembled.—It affords "me the greatest satisfaction, to commu- "nicate to you, at the same time, the high "sense entertained by his Majesty of the "zeal and public spirit by which the "Members of your Corps have been ac- "tuated on this important occasion, and "the confident persuasion which *is felt by* "*his Majesty*, that the same degree of "alacrity will prevail among them, should "circumstances make it necessary to call "again for their exertions.—I have the "honour to be, Sir, your most obedient "humble servant, R. Ryder."——It may be the *mere form of office* to say this in the *king's name*; but, I am sure, that every true friend of the kingly government, that is to say, every true friend of the country, must regret that that name was not still kept out of sight. Using his name thus is to make him appear as an *active party*, in an affair, in which it is manifest, that, except as to mere form, he had been no party at all. The king has no right, and claims no right, of punishing any of his subjects in any way but that of *the usual course of law*. He claims no protection for his character that is not claimed and enjoyed by every one of his subjects. If he be libelled, in ever so gross and infamous a manner, he cannot order the offender to prison, nor can any of his ministers do it. Yet, how rarely has it happened, that he has been libelled at all; indeed, how rarely has it happened, that he has been calumniated, or spoken ill of, by any writer! Therefore, his name should have been kept out of the whole of this quarrel, which, as I said before, is a quarrel between the Honourable House and Sir Francis.——Since, however, the *Volunteers* have been thus hoisted up to public notice, I shall, I think, be excused for publishing a little document or two respecting one of those corps, upon which documents, without any comment of mine, I shall leave the reader to form his opinion. What I am going to insert are little circular invitations from Mr. H. Drummond, Lieut. Col. of the Prince of Wales's Volunteers, to the members of that corps.

"*Monday Morning, 8 o'clock, 9th April* 1810.

"Sir;—I have it in Command *from* "*Government* most earnestly and most "particularly to request your Attendance "in Uniform this Evening in the Orderly "Room, at six o'clock; and to remind "you, that, *in case of Non-Attendance*, I am "directed *to give in your name to the Secre-* "*tary of State.*"

"*Orderly Room, Tuesday Morning.*

"Sir;—I am *sorry* to be again obliged, "by the *earnest desire of the Secretary of* "*State*, to request your Attendance at the "Orderly Room this evening, at six "o'clock precisely.—I must also beg of

" you to be *punctual*, as it is of importance " that I should be able *to communicate* " *early the numbers that Government may de-* " *pend upon in Aid of the Civil Power.*"

" *Wednesday Morning,* 11*th April* 1810.

" Sir ;—I am again desired by the Se- " cretary of State to request your Attend- " ance this evening in the Orderly Room " at Five o'clock: And I am also required " *to deliver in the Names of all who belong to* " *the Corps, specifying such as attended and* " *such as did not, with the Reasons for said* " *Non-Attendance.*—I hope I need not state " *how painful it will be to me,* on this *most* " *urgent* Occasion, not to represent to the " Secretary of State that the Regiment, in " point of Numbers, is not to be outdone " in their zeal and exertion *for the Welfare* " *of the Community,* and I therefore *most* " *earnestly entreat* your Attendance."——

I shall leave these invitations just as I find them, observing only that I send the *printed tickets,* just as they were issued by Mr. Drummond.——Nothing, however, can more strongly depict the *anxiety* that prevailed, even after Sir Francis was safely lodged in the Tower, and long after all symptoms of commotion had ceased. The mind, here, naturally flies back to the *cause* of this anxiety; but, reflections of that kind I must leave to the reader, while I hasten to the remaining and more important part of my proposed observations.

I observed at the out-set, that all these struggles, however important they may be as to questions of law, however deeply the rights and liberties of the people may be involved in them, are, in the present state of things, of little consequence, except in as far as they are connected with the great question of *Parliamentary Reform,* from the want of which it is my firm opinion, and, I believe, the opinion of a great majority of the nation, that great part of our calamities have arisen. And, this being my opinion, it is my duty to endeavour to explain to my readers *what sort of a Reform* it is that is wished for; and to state some, at least, of *the advantages which would arise from such reform.*

With respect to the first, I shall have but little trouble, having merely to describe the Plan, suggested by Sir Francis, in his Speech of the 15*th of June last,* when he moved a Resolution for the subject being taken into consideration on an early day during this present Session. But, here, it is necessary, that I give a short history of that motion.——Sir Francis had been frequently taunted with having *no Plan:* he had been asked *what he wanted:* he had been called upon for *something specific.* All this was quite out of the usual course. It was a sort of language held to no other man. But, in order to get rid of this taunting, he told the House, at last, that, *on such a day,* he would make a specific motion upon the subject. The day came, and . . . . . what? Why, there was *not a house;* the benches were *empty!* There remained but *two days* of the Session, the last of which was no day at all for the making of a motion of this sort, because the House might, at any moment, be summoned away, by three raps, to the upper House to hear the sentence of their prorogation. The next day, therefore, was the only day that was left; on that day there appeared only 89 members in the House, and, in all likelihood, there would not have been a House at all, had there not been something to do, for which a House was absolutely necessary.—— Such was the way, in which the introduction of this important and long-called-for motion was treated. No very flattering beginning; nothing, surely, to create much hope, that the House would be disposed seriously to take the matter into consideration.

The *sort of Reform* that we want is manifestly one, which will restore to the people of the whole kingdom their constitutional share in the government; that will, in other words, give to every man, *paying direct taxes,* that is to say, to every *man of real property,* in fee or by lease, a voice in the choosing of the persons, who are to impose those taxes, to cause them to be levied, and to dispose of them when levied. It is one of the great maxims of our Constitution, indeed, it is a maxim of our laws, and is dictated by reason and by nature, that no man shall be *taxed* but by his *own consent.* The *Peers* give this consent each for *himself,* and the *Commons* by their *Representatives.* But, in the present state of the lower House, can it be said, that *the people give their consent* to the taxes that are laid upon them? It was declared, in a Petition presented to the House in 1793, by Mr. Grey (now Earl Grey) that 307 members were put into the House by 154 persons, owners and patrons of boroughs. This was not, this is not, this cannot be, denied. But, after what we have recently seen, why need we waste our time upon facts like these?

——Well, it is notorious, that the people of this kingdom are not so represented as to *tax themselves.* The *causes*, which have led to this state of things, have been often pointed out. They are, indeed, well known; and we feel the sad, the fatal effects.——How (for this is the only question that remains); *how, then, shall we go to work* to bring ourselves back to that state, in which it shall be truly said, that we are *not taxed without our own consent?* This is the question; and this question is answered in the Plan proposed by Sir Francis; the out-line of which plan I will now state in nearly his own words.——"I. "That all male inhabitants, being house-"holders, subject to direct taxation in sup-"port of the state, church, and poor, be "required to elect members to serve in "parliament.——II. That each county "be subdivided according to its popula-"tion; and each subdivision required to "elect one representative.——III. That "the votes be taken in each parish by the "parish-officers; and all the elections "finished in one and the same day.—— "IV. That the parish officers make the "returns to the Sheriff's Court to be "held for that purpose, at stated periods. "——V. That Parliaments be brought "back to a constitutional duration."

This, as the reader will perceive, is a mere out-line; but, here are all the great principles provided for. *Taxation* and *Representation* are here to go hand in hand. A House thus chosen would be the real representatives of the people, and would of course act for their good. As things now stand, a few wretches without principle, without property, and almost without shirts to their backs, are the choosers, nominally, of a great part of those, who have the disposal of our money, and who have the making of laws to govern us. One tenth part of every man's gross income is now annually taken from him in one single tax; we know how great are the difficulties and distresses arising from this, added to all the other burdens laid upon us. And, is it not reasonable; supposing the constitution to say nothing at all about the matter; is it not reasonable that those who *pay* these enormous taxes, and endure the privations therefrom arising, should choose the persons, who are to watch over the *expenditure of them?* Gentlemen choose their own stewards; merchants choose their own factors; parishes choose their own Church Wardens and Overseers; all companies and associations choose their own Treasurer; Indeed, the contrary would be so absurd, that the thing requires no illustration. No man, *in his senses*, suffers another to appoint persons to take care of his property. If he be clearly proved to be *insane*, then, indeed, the law steps in and appoints persons to manage his property for him; and, really, surrounding nations might well believe, that the Boroughmongers had sued for and obtained a statute of lunacy against this taxed and insulted nation.——As to the manner of collecting the sense of the people; the mere manner of knowing to whom they wish to confide the management of their taxes, the one pointed out by Sir Francis appears to have no inconvenience in it. It is no matter how you get at this sense, so that you do really get at it. Whether it would be best to take the counties as they are, and let every voter have a vote for the whole number of members, or to subdivide the counties; this would be matter of mere regulation; and, as to the fair and just apportioning of the members to the several counties, the means are all at hand, are all ready prepared in the RETURN OF THE POPULATION; so that it would be a mere question of the Rule of Three how many members each county should elect.——The means of taking the votes are, too, all at hand. The Parish-Officers know every man in their parish and his circumstances so well, that deception, even if there were any temptation to it, would be next to impossible. No *oaths;* none of those odious and disgusting *swearings*, which now so disgrace even county elections, would be at all necessary. The Parish-Officers, on the day appointed, would be at the Church with their Polling List in one hand, and with their Tax-List in the other. They would only have to see that each voter's name was upon the latter, and then to take down his vote. At night, or the next day, they would count up the numbers and send their Return to the Sheriff, who, in another day, would make up the general Return for the county, and transmit it to the Lord Chancellor, or whoever else ought to receive it; and thus would an election, through all the kingdom, take place with as little trouble and as little noise as the annual Easter Tuesday election of Church Wardens and Overseers. There would be none of that villainous oath-taking; none of that shameful drunkenness; none of those beastly scenes where

human nature is so degraded; we should see no hunks, speculating upon politics, drenching and gorging the most rascally part of the community, in order to get from them the sanction to plunder the honest and industrious; we should see no petti-fogging Attornies, galloping from town to town and from house to house, giving lessons of bribery and corruption, and that race, even more detestable than these, the *electioneering parsons*, would disappear from that earth to which they have so long been a plague and a curse, seeing that benefices in the Church could not, in future, be the recompence of acts directly violating every principle of Christianity. We should hear none of those lying promises, now made by candidates to the voters; nor witness any of that base cajolery, used upon such occasions; and, which is of still greater consequence, we should hear no more of that bane of our country, called PARLIAMENTARY INTEREST, which, in plain English, means this: *the trucking of the places and profits under government for votes given at elections*, a traffic so common, and so little thought of, that we even hear people *boasting* that they carry it on. Is it, then any wonder, that our national affairs are conducted in the manner that they are? Is it any wonder, that we fail in our Expeditions? Is it any wonder that so much imbecility and so much public-robbery prevail? Then, again, the mischief which this hellish PARLIAMENTARY INTEREST does amongst the people is enormous. How many families, who, had they never seen the face of a parliamentary speculator, would have been happy in the fruit of their industry, are now wasting away in poverty and expectancy?

One great advantage of a Reform upon this plan would be, that it would, at once, sweep away all those *Qualifications* and *Disqualifications*, which have been introduced as palliatives of a vicious system, and which produce so much false-swearing and so many other detestable acts. Where is the man so much of a miscreant as not to be able to get what is called a *Qualification* to serve in parliament, as the practice now is? This is truly abominable, in the face of so many laws. But, what are the laws relating to elections? Just calculated to bind conscientious men, and to secure impunity to those, whose acts shew, that they are destitute of conscience.—— There is no danger that men without property would be elected, except in very rare instances. We are told, by those who oppose this sort of Reform, that we should let in *low people*, men *without any stake in the country*.——This is a pretty impudent thing to say. Just as if the taking of the power of voting out of the hands of pot-wallopers and other vagabonds, who sell their votes, and restoring that power to the owners and occupiers of the land and the shops and the principal houses; just as if such a change would cause *low* men, men *without estate*, to be elected members. The raggamuffins, who now sell their votes to the boroughmonger, and the boroughmonger who re-sells them, carry their perjury to the best market. They care not whether the purchaser be high or low, whether he have a real estate or an unpassed flemish account, whether his purchase money be his own or belongs in reality to the public; they care not who or what he is, or whether he come from India or from Hell.——Would it be thus; is it likely that it would be thus; nay, is it *possible*, that it could be thus, if the power of election was restored to all the owners and renters of the land and the principal houses, shutting out those who have, in fact, no property, and, amongst them, no small part of those wretches, whose bribed voices now return members to parliament? I ask, is this possible?—— Looking, for instance, towards my own home, where I know all those, who, in case of such Reform, would be voters, I see none who could be prevailed upon to vote for a *low* or *worthless* man. Such voters, (who would, for the most part, consist of the yeomen, the farmers, and the tradesmen) would naturally choose *gentlemen of fortune* and of *good character*. It is not in *nature* that they should make a different choice. The habits, the mind of men must be changed; we must suppose all the people of property in the nation to become possessed of a desire to degrade themselves, before we can suppose, that elections, after the manner proposed, would not produce a parliament composed of gentlemen of estate, of good character, and fair abilities. How, then, would such a change tend to the predominance of *democracy*? The great families would still have their *influence*, but would be unable to buy and sell the people. All estate, all wealth, but especially all real estate, must and would have its influence; and so it ought; but, it would not undermine and corrupt.——In short, it is a most preposterous notion (a notion propagated by knaves for the purpose of scaring fools)

that, by taking the power of electing from the worst men in the kingdom and giving it to the best men in the kingdom, we should be in danger of producing *a bad choice of members*, such a choice as would directly tend to the overthrow of the government. Is it to be believed; can any man bear to be told, that a majority of the people of property in England are *not worthy to be trusted?* Will any one say, that he believes, that a majority of the people of property in England, a majority of those who pay to Church and Poor, *wish to overturn the government?* No; neither Mr. Windham nor his new friend Mr. Yorke will say this, I think. Well, then, if they do not *wish* to overturn the government, why should they elect such men for representatives as would overturn it? *Why* should they?—It is useless to go on. The objection has been hatched by corruption, for the sake of deceiving the credulous and the timid. The supposition, on which it is grounded, is impudently false, those who start it being well assured, that the proposed Reform would restore to the throne its rightful dignity and prerogatives, and would pull down nothing but the boroughmonger faction.

Let this plan be adopted, and there would be no need of any of those harsh and odious *disqualifications* that now exist. Supposing *Excise-Officers*, for instance, to be necessary, why should they not vote as well as other men of property? Why should they be shut out; why have a mark of opprobrium thus fixed upon them, merely because they are servants of the public appointed by the king? But, it is one of the curses of the boroughmonger system, the seat-selling system, the false-swearing system; it is one of the great curses of this system, that its notorious frauds, its flagrant robberies, its unbearable depredations upon the people, make us look upon all persons, employed under the government, as *our enemies*, or, at least, as *having an interest inimical to our rights and liberties*; and, upon this truly shocking notion those laws have been made, which shut out Excise Officers and others from the pale of elections.——All these exclusions would, by the plan in contemplation, be done away for ever, and cordial harmony and mutual confidence would, after a long, long suspension, be once more restored between the government and the people.

It is a constant trick with the seat-trafficking crew to cry out, that Reform would endanger the *kingly* government. They are a body unseen, but ever active. The wasting of the public money, in pensions and sinecures, of which we so often complain, proceeds from them, in reality, and not from the king. We see the king's minister always with a majority at his back; but, that majority is not secured without means. I do not say, that it is purchased with cash upon the nail; that is no longer the fashion, as it appears to have been in Ireland, in the time of SWIFT, whose poem upon the subject, I have, by way of shewing *how men wrote about parliaments in the days of our grandfathers*, inserted below:* no, that is no longer the fashion; but, it is notorious, that no minister can keep a majority without making his favour circulate amongst those, or, at least, the relations and friends of those who vote with him.——And, what a miserable thing is this? What a life must a minister lead, surrounded with such "friends?" Did the cares, thus created, leave him time to think of any thing else, he is prevented from doing, in many cases, what he would do; and, as to the king, what, short of an influence like this could ever have prevailed upon GEORGE III to set his hand to the grant to *Mrs. Fox?* I could mention many other acts; but this, I think, does surpass all others. What! King George the Third, in his old age, grant a pension to the very highest amount that the law permits him to go; to put his *hand* to a grant of such a pension to Mrs. Fox! Is there, in all England, one man who believes, that the king did that act *voluntarily*; and that it did not cost him many a pang? What feelings must those men have had, who thrusted such a grant under his hand; and, what a system must that be, which places a king in such a predicament? In short, I think, it cannot be doubted; I think that there is no man in his senses, who can doubt, that the Reform proposed would tend not less to the stability of the throne than to the happiness of the people; and, not only to the dry legal stability, but to the dignity and high feeling of the king and his family, who are now but too frequently confounded with those, from whom they should always be kept distinct.

I have not time to extend these observations, and, it would, indeed, be of little use; for the bare stating, I think, of Sir Francis's Plan, together with just pointing out some of its effects, must be quite sufficient to convince any reasonable man, that this is what the nation now stands in need of; and, that the adoption of it,

without loss of time, is necessary to prevent the catastrophe predicted by Lord Chatham, as stated in one of the passages, taken for a motto to the present Number. Perverse and self-interested men; men, who would as lief see their country enslaved from without, who would rather risk that event, and who would gladly see a military despotism established within; men, who would take either of these, sooner than yield their unjust pretensions, will spare nothing, of course, to prevent the adoption of a measure, like that now proposed, and to misrepresent the motives and to blacken the character of all those who stand forward in its support. But, still it must come; or misery unparalleled is England's doom. I have, since I last came to town, heard a person or two observe, with, I thought, feelings of satisfaction, that, "*the people were nothing "against the soldiers.*" Nothing against the soldiers! What, then, is it supposed, that the government of England is to be maintained, and by military force, too, *against the will of the people?* A proposition not to be endured, under any circumstances; and, what shall we think of it, then, when applied to circumstances, wherein "*the representatives of the people*" are the object of military support?——

Nothing against the soldiers!" It is painful to me, and it is really alarming to hear observations like these from persons of any consequence.——"Nothing!" Do you call it *nothing* to have caused all the Southern and Midland counties to have been drained of troops? Do you call it *nothing* to have caused an army of forty or fifty thousand men to be marched to London for the purpose of causing an order of "the "*representatives of the people*" to be obeyed. Do you call this *nothing?*——But, I would seriously ask these persons, whether they think, that it will do to keep a military force constantly on foot for the *support of the House?* Whether they think, that such a thing can possibly last, for any length of time?——Well, suppose them to answer in the affirmative; then I ask what will be the consequence, in case Buonaparté should, no matter where, effect a landing in this kingdom? What will then become of the military force?—— And, *why* should we be put to the expence of such a force? Why should the struggle between the House and the People be kept up? What is the *cause?* Why should not harmony be restored; and why should not the House regain the love of the people by adopting their unanimous wishes (as far as they are not immediately interested in support of the borough system) for a Reform? Not a measure, *called* a "Reform," but which, in fact, would be no more than a measure for legalizing bribery and corruption; not a reform that shall merely regulate the market for seats; not a "Reform," which shall make us purchase the fee simple of false oaths, the venders being aware that they are not worth two years purchase; not a "Reform" that shall make any sort of compromise with corruption, and especially a "Reform" that shall take the boroughs out of the hands of the nobility and transfer them to the ready-rhinoed stock-jobbers: no, none of these: no sham "Reforms;" nothing to amuse and cajole; nothing, in substance and effect, short of the proposition of Sir Francis. And why should we not have this Reform? Why should we be discussing the question, whether the House can, or cannot, *be maintained, for a permanency, by a military force?* Alas! What a question is this for Englishmen seriously to discuss! It never can long be a question. I agree perfectly in the closing sentiment of the Westminster Remonstrance, namely, "that *nothing but a Reform can save us from "military despotism;*" but, I will not believe, that, with all the good-sense and all the public spirit that are now so visible in the people, the measure of Reform can possibly fail. I look forward to its accomplishment with nearly as much confidence as I look forward to the return of the seasons. I see few things that can retard it, and nothing by which it can be finally prevented. The recent occurrences have not *created*, but merely *strengthened*, the general wish for Reform; Reform is the object which alone is worthy of our anxious attention; and, in all our endeavours to work conviction in the public mind, we, never forgetting the Champion of our cause, should begin and end with SIR FRANCIS AND REFORM.

WM. COBBETT.

Westminster, 18th April, 1810.

P. S. *19th April.*—I have just taken a glance at the Debate upon Lord Ossulston's motion, relating to the *murder* committed by the *Life-guards'* man (a happy enough association!); and, I see, that another *murder* has been found to have been committed by another of these *Life-guardèrs*, in the city; but, on these I must postpone further notice till my next.

COBBETT'S

Parliamentary Debates:

The Fifteenth Volume of the above Work is in the Press, and will be published with all proper dispatch. All Communications will be carefully attended to; but it is particularly requested that they may be forwarded as early as possible.

THE SIXTH VOLUME OF

COBBETT'S

Parliamentary History

OF

ENGLAND,

Comprising the Period from the Accession of Queen Anne, in 1702, to the Accession of King George the First, in 1714, is ready for Delivery.

SWIFT'S

CHARACTER, PANEGYRIC, AND DESCRIPTION OF THE LEGION-CLUB. 1736.

As I stroll the city, oft' I
See a building large and lofty,
Not a bow-shot *from the College;*
Half the globe from sense and knowledge:
By the prudent architect,
Plac'd *against the Church direct,*
Making good my grand-dame's jest,
"Near the church"—you know the rest.
Tell us what the pile contains?
Many a head that *holds no brains.*
These demoniacs let me dub
With the name of Legion-Club.
Such assemblies, you might swear
Meet when butchers bait a bear;
Such a noise, and such haranguing,
When a *brother thief* is hanging;
Such a rout and such a rabble
Run to hear Jack-pudding gabble;
Such a crowd their ordure throws
On a *far less villain's nose.*
Could I from the building's top
Hear the rattling thunder drop,
While the devil upon the roof
(If the devil be thunder-proof)
Should with poker fiery red
Crack the stones, and melt the lead;
Drive them down on every scull,
While the DEN OF THIEVES is full;
Quite destroy the harpies nest;
How might then our isle be blest!
For divines allow, that God
Sometimes makes the devil his rod;
And the gospel will inform us,
He can punish sins enormous.
Yet should Swift endow the schools,
For his lunatics and fools,
With a rood or two of land;
I allow the pile may stand.
You perhaps will ask me, Why so?
But it is with this proviso:
Since the house is like to last,
Let the royal grant be pass'd,
That the club have right to dwell
Each within his proper cell,
With a passage left to creep in,
And a hole above for peeping.
Let them when they once get in,
Sell the nation for a pin;
While they sit a picking straws,
Let them rave at making laws;
While they never hold their tongue,
Let them dabble in their dung:
* * * * * *
Let them, ere they crack a louse,
Call for th' *Orders of the House;*
Let them with their gosling quills,
Scribble senseless heads of bills.
We may, while they strain their throats,
Wipe our a***s with their Votes,
* * * * * *
Come assist me, Muse obedient!
Let us try some new expedient;
Shift the scene for half an hour,
Time and place are in thy power.
Thither, gentle Muse, conduct me;
I shall ask, and you instruct me.
See, the Muse unbars the gate!
Hark, the Monkeys, how they prate!
All ye gods who rule the soul!
Styx, through Hell whose waters roll;
Let me be allow'd to tell,
What I heard in yonder Hell.
Near the door an entrance gapes,
Crowded round with antic shapes,
Poverty, and Grief, and Care,
Causeless Joy, and true Despair;
Discord periwigg'd with snakes,
See the dreadful strides she takes!

By this *odious crew* beset,
I began to rage and fret,
And resolv'd to break their pates,
Ere we entered at the gates:
Had not Clio in the nick
Whisper'd me, "Lay down your stick."
"What," said I, "is this the mad-house?"
"These" she answer'd "are but shadows,"
"Phantoms bodiless and vain,
Empty visions of the brain."
In the porch Briareus stands,
Shows a *bribe in all his hands*;
* * * * * *
When the rogues their country fleece,
They may hope for pence a-piece.
Clio, who had been so wise
To put on *a fool's disguise*,
To bespeak some approbation,
And be thought a near relation,
When she saw three hundred brutes
All involv'd in wild disputes,
Roaring till their lungs were spent,
PRIVILGE OF PARLIAMENT,
Now a new misfortune feels,
DREADING TO BE LAID BY TH' HEELS.
Never durst a Muse before
Enter that infernal door;
Clio, stifled with the smell,
Into spleen and vapours fell,
By the Stygian steams that flew
From the dire infectious crew.
Not the stench of lake Avernus
Could have more offended her nose;
Had she flown but o'er the top
She had felt her pinions drop,
And by exhalations dire,
Though a goddess, must expire.
In a fright she crept away;
Bravely I resolved to stay.
When I saw the keeper frown,
Tipping him with half a crown,
"Now," said I, "we are alone,
Name your heroes one by one."
* * * * * *
* * * * * *
* * * * * *
* * * * * *
How I want thee, humourous Hogarth!
Thou, I hear, a pleasant rogue art.
Were but you and I acquainted,
Every monster should be painted:
You should try your graving-tools
On this ODIOUS CROUPE OF FOOLS:
Draw the beasts as I describe them
From their features, while I gibe them;
Draw them like; for I assure you,
You will need no *car' catura;*
Draw them so, that we may trace
All the soul in every face.
Keeper, I must now retire,
You have done what I desire:
But I feel my spirits spent
With the noise, the sight, the scent.
"Pray be patient; you shall find
Half the best are still behind:
You have hardly seen a score:
I can shew two hundred more."
Keeper, I have seen enough.—
Taking then a pinch of snuff,
I concluded, looking round them,
"MAY THEIR GOD, THE DEVIL, CONFOUND THEM!"

A WORD IN BEHALF OF MR. GALE JONES.

SIR; I read with great pleasure and admiration, in one of your Weekly Registers, the very able and learned Argument of Sir Francis Burdett, against the power, claimed by the House of Commons, of imprisoning British subjects, that are not Members of their own body, for publishing writings that pass censures on their proceedings, and which they therefore consider as Libels. The reasonings in this Argument appear to me just and convincing, and the manner of expressing them to be clear and methodical, and accompanied with all the elegance of language that the subject will admit of: in short, I consider it as a performance that would have done honour to the most eminent of our patriotic lawyers of former times, to Mr. Selden, Sir Matthew Hale, or Lord Chancellor Somers. And I heartily wish that the House of Commons would adopt the doctrine of it, and abandon the odious power they have hitherto claimed, and sometimes, though rarely, exercised, but never without lessening that confidence and affection between them and the body of the people, which is the great foundation of their dignity and importance in the State. But, as they may not, perhaps, be disposed to adopt so self-denying a conduct, and may insist upon retaining this power, I beg leave to suggest, on the behalf of Mr. Gale Jones, that, upon carefully considering the offence he has been guilty of, in

publishing a placard in which he informs the people, "that by clearing the Gallery of the House of Commons, during the examination of some of the witnesses concerning the Expedition to Walcheren, their feelings have been outraged by depriving them of the means of knowing, in the most complete and satisfactory manner, the several circumstances given in evidence relating to that Expedition;" it will appear, that the said offence is not a censure on the House of Commons, but only upon one of their members, namely, Mr. C. Yorke, who moved the House to clear the Gallery, agreeably to the standing order of the House. Now, the standing orders of the House cannot be opposed, or brought into discussion, on a sudden, or without a formal motion, after due previous notice, to repeal or suspend them on some particular occasion; and, therefore, such of the members of the House of Commons (of whom, no doubt, there were a great number) as would have wished the Gallery not to be cleared on that occasion, were not at liberty to oppose Mr. Yorke's motion for clearing it. And this, we may well suppose, Mr. Gale Jones knew. And therefore Mr. Jones cannot be supposed to blame those members, nor any of the members, for not doing what they were not at liberty to do, but to blame him alone who was the cause of this exclusion of strangers on that occasion, that is, Mr. Charles Yorke. And then the placard must be understood to have the same meaning as if it had been worded in the following manner: "Mr. Charles Yorke, on the day of the examination of those witnesses concerning the Walcheren Expedition, moved the House of Commons to clear the Gallery; (which, being agreeable to the Standing Order of the House, was necessarily complied with) and thereby he has outraged the feelings, and thwarted the wishes, of the people, who were anxiously desirous of being informed, in the most complete manner, of all the circumstances of the late unfortunate Expedition to Walcheren." Now, if these words had been published in the placard, or in a news-paper on the next day, would they (though relating only to the act of a single member of parliament,) have been considered as a censure of the whole House of Commons, and a sufficient ground for the exercise of their high power of imprisonment? If they would not, Mr. Gale Jones ought not to have been imprisoned, and ought now to be discharged.

A CONSTANT READER.

LIBERTY OF THE SUBJECT.

Rara temporum felicitas, ubi sentire quæ velis et quæ sentias dicere licet. *Tacit. Hist.* l. 1.

SIR; I have already troubled you with some observations in respect of the power exercised by the House of Commons, over the Liberty of the Subject; and as it is a question of the greatest public importance, and there appears to be much contrariety of reasoning upon it, I perhaps may be excused if I venture to offer some further remarks. In perusing the arguments of the defenders of this power, I have been much astonished with the course that has been pursued. Precedents, and those extracted from the very worst periods of our history, have been brought as unanswerable proofs of the right to exercise the Privileges claimed by the House of Commons; and so straightened have been the advocates for power, that they have even cited the indecent and disgusting fact, of a judge (Berkley) being rudely dragged from the justice seat, in obedience to a mandate of the representatives of the people. I am, Sir, of very different sentiments from the gentlemen who triumph in such instances of power; I should have been anxious to have found an apology for such an act of violence; far would it have been from my wish to have given it currency by quotation. Are ministers so driven, as to depend for support on an occurrence, that should rather seem to mark the rude decision of a knot of savages, than the cool, temperate, and enlightened judgment of the great council of a nation, priding itself in its civilization? I should have urged, that this precedent had happened in that period of the reign of Charles I, when popular ferment had fevered the public mind. I should have urged this excuse for an act of arbitrary violence, which reason laments, and power cannot palliate. Do ministers mean to say, that precedent unsupported by principle, can be of any weight with a reasonable mind? that if an act be tyrannical, repetition can give it stability and make it either lawful or justifiable? Would not Proclamations from the Crown and General Warrants, which had precedents innumerable in their favour, have been defensible upon the same course of reasoning? What enormity has power committed that cannot be found to be allied to precedent? Is it not then very remarkable, passing strange, that we should hear nothing of principle asserted in favour of these mysterious

privileges, "undefined by law; unknown "to the subject; which we must not ap- "proach without awe, nor speak of without "reverence, which no man may question, "and to which all men must submit*." Really we must imagine, that the gentlemen of the long-robe cloud not a little their understandings with the dust that accompanies their ponderous folios when taken from the battlements where this artillery of legal learning is deposited. What infatuation for precedent must exist, when the reigns of the Tudors and the Stuarts are ransacked for cases to justify an infringement of the subject's liberty! It must have been this predilection for precedent, and total disregard of principle, that induced a very enlightened scholar, to denominate the lawyers, "doctissimum genus "indoctissimorum hominum†." But, Sir, as I consider that injustice can never be justified by repetition, nor sanctified by time, I shall venture to enquire, what there is of principle, in the Privilege claimed by the House of Commons. In doing this, it may not be amiss to investigate a little the nature of governments, and the principles upon which our own has been established. Man is naturally ambitious; ambition leads to power, and power to the usurpation of private right. The great object therefore, of every well constituted state, is to limit power by certain rules, to which the rich and the poor are equally bound to conform; and these are called laws. Montesquieu says, "con- "stant experience shews us, that every "man invested with power is apt to abuse "it; he pushes on till he comes to some- "thing that limits him. Is it not strange, "though true," continues this able writer, "to say, that virtue itself has need of li- "mits? to prevent the abuse of Power, it "is necessary, that, by the very disposi- "tion of things, power should be check "to Power." It was from this want of a check to Power, that all the ancient governments were frail and fell to decay. The Republics of old were sacrificed to this demon, Uncontrouled Power, who from hourly enlarging, at length extended to those limits, to which Montesquieu alludes, and then fell a victim to his own enormity. Cicero foresaw that power must be checked, to render a government just, and give it stability; and he foresaw too, that that could only be the consequence of laws proceeding from the union of the different orders of the community: "Statuo esse optimè constitutam rempublicam, quæ ex tribus generibus illis, regali, optimo et populari, modice confusa*." Tacitus saw the efficacy of such a government, but doubted the possibility of its existence. What, let me ask, is the grand object of a government so constituted? is it not, that the public good, that the common-weal, should be secured by the least possible infringement of individual liberty? and how can that be effected, but by the institution of known laws which none can disobey with impunity. "A "government," says Aristotle "where the "laws alone should prevail, would be the "kingdom of God;" and Livy speaks of those glorious times, when "Imperia legum potentiora fuerunt quam hominum;" when the laws prevailed over arbitrary power. It is such a government as this, which affords the best definition of political liberty; and difficult as it appeared to the ancients, such a constitution has been generally considered to be the happy lot of Britons. "By a "fortunate conjunction of circumstances," says De Lolme, "by the assistance of a "favourable situation, Liberty has at last "been able to erect herself a temple." Montesquieu, after noticing that Political Liberty is the direct end of the Constitution of England, proceeds to enquire, in what that Liberty is founded; and he observes, "the Liberty of the Subject is a "tranquillity of mind arising from the "opinion each person has of his safety. "In order to have this Liberty, it is re- "quisite the government be so constituted "as that one man be not afraid of another. "But," says Montesquieu, "when the "legislative and executive powers are "united in the same person, or in the "same body of magistrates, there can be "no Liberty; because apprehensions "may arise, lest the same monarch or "senate should enact tyrannical laws, to "execute them in a tyrannical manner; "and again, there is no Liberty, if the "judiciary power be not separated from "the legislative and executive. Were it "joined with the legislative, the Life and "Liberty of the Subject would be exposed "to arbitrary controul; for the judge "would then be the legislator. Were it "joined to the executive power, the judge

* Lord Chatham's Speech, Debates 1770.

† Erasmus.

* Cic. Fragm.

"might behave with violence and oppres-
"sion." After laying down these maxims, this author proceeds to shew that the English constitution is founded on the strict observance of them. "The basis of the "English constitution," says De Lolme also, "the capital principle on which all "others depend, is, that legislative power "belongs to parliament alone; that is to "say, the power of establishing laws, and "of abrogating, changing or explaining "them. The constituent parts of parlia-"ment are the King, the House of Lords, "and the House of Commons." And again, he says, "that all the laws that "are in being, are certainly executed "whenever appealed to, is what I look "upon as the characteristic and undis-"puted advantage of the English consti-"tution." I give these opinions of eminent writers, which some readers may possibly think superfluous, because I am desirous, that in discussing the privileges claimed by the House of Commons, the grand and fundamental principles of our constitution may be clearly understood. It may be easily imagined, that notwithstanding the strong features of our constitution may have been known before, yet that after the Norman Conquest the constitution must have been found in a somewhat fluctuating state; and it does not appear to have been settled on a firm basis till Magna Charta, that great outline of the Subjects' Liberty, was obtained from King John; and, until a House of Commons was convened in the subsequent reign of Henry III. in order to protect Magna Charta. Then it was that the principles of our constitution were united in a firm and compact system; then it was that, according to the maxim of Montesquieu, power was checked by power. So long as this excellent equilibrium shall be preserved, the constitution will remain entire; but whenever one of the constituent parts of parliament shall exercise a power undefined by the laws, and independently of the concurrence of the other branches, does it not amount to a mathematical demonstration, that the constitution will then cease to exist. The great advantages therefore resulting from our constitution, consist of laws being made by the union of all the constituent branches of parliament, and by those laws being known to the subject, and being uniform and universal in their operation. It is true, that the grand struggle from King John to the Revolution has been against the prerogative of the crown; but that has arisen from the circumstance, that most attempts at exorbitant power have proceeded from the executive branch. Indeed, when we reflect, that it is much more probable that an individual should be misled than a body, it is reasonable to conclude, that greater circumspection would be requisite towards the crown, than either of the other constituent branches of parliament. But it does not follow, that a body of men should not be guilty of excess as well as an individual; and when that happens, the body will be as much the object of jealousy as the crown. Swift, who was well acquainted with human nature, says, "So endless and "exorbitant are the desires of men, that "they will grasp at all, and can form no "scheme of perfect happiness with less. "It is hard to recollect one folly, infir-"mity, or vice, to which a single man is "subjected, and from which a body of "Commons, collective or representative, "can be wholly exempt." This makes known and certain laws the only guardian of political liberty. We must not be fastidious, and imagine that Machiavel libels the dignity of man, when he says, "Men are never good but through neces-"sity, and that laws only can make them "good." As far as regards political society, Machiavel's observation is sound, and Junius very forcibly illustrated it, when he said, that "laws are intended, "not to trust to what men will do, but to "guard against what they may do." The grand ultimatum therefore of the English constitution is the Liberty of the Subject, flowing from equal laws, the offspring of a just equilibrium in the three branches of parliament; and which I cannot better exemplify, than in the words of the author of Reflections on the Rise and Fall of the Ancient Republics*. "The equitable in-"tent of our laws," says this author, "is "plainly calculated, like those of Solon, "to preserve the Liberty and Property of "every individual in the community; "and to restrain alike the richest or the "poorest, the greatest or the meanest, "from doing or suffering wrong from each "other. This is the wise and salutary "plan of power established at the Revo-"lution. Would we always adhere stea-"dily to this plan, and preserve the just "equilibrium, as delivered down to us by "our great ancestors, our constitution

* Edward Wortley Montagu.

"would remain firm and unshaken to the "end of time." Having shortly enquired into the principles of our constitution, I shall next proceed to consider, how far the Privileges claimed by the House of Commons are in conformity or in opposition to those principles. The House of Commons, in asserting their right to be the sole judges of their Privileges, assume, I contend, the power of making a law independently of the other constituent parts of government. For these Privileges are not to be discovered in any written code; neither can they be founded on imprescriptable usage; because, although the words in Magna Charta "per legem terræ" should be considered to relate to usages and customs then in existence, they cannot apply to what arose posterior to the Charter; and the House of Commons was indubitably of a subsequent period*. But there is another very cogent reason why these Privileges cannot exist either in written law or usage, viz. that they are not defined; the House of Commons assume that they are undefined; and many of the Judges who have supported the House at different times in the exercise of these Privileges have declared them to be undefinable. Now it must be evident that no usage or custom can be set up for the exercise of what is not within the boundary of definition; for that would be to establish a custom for arbitrary power, which is contrary to common sense, and in direct violation of the fundamental maxims of our Constitution, as I have before shewn. The House of Commons therefore claim the right of making laws of their distinct authority; for as to calling undefined Privileges the Law of Parliament, that seems far above any ordinary understanding to comprehend; for if it be law, it must have bounds; it must have known limits; and what has limits may be exceeded. But who is to judge whether the Privileges claimed, exceed those boundaries or not? Are those who claim the Privileges to be the sole Judges. If they are, let any man define arbitrary power; and if he can find a shade of difference between that and these Privileges, let him point it out, for I am unable to discern the least distinction. The House of Commons then, I assert, claim a right, which, upon the principles of the constitution, should solely belong to the three estates collectively. The House of Commons further assume the right of determining what shall be a breach of such Privileges. Here then they take upon themselves a judicial power, which upon the principles of the constitution is invested in the judges alone. But the House have not yet, it seems, gone far enough; they also insist on inflicting punishment for the offence. Here then they assume what the constitution contemplates as being invested in the executive power. It appears therefore, without any sophistry, that the House of Commons do unquestionably assume the legislative, the judicial, and the executive powers to be concentrated in themselves. Now let us hear what that able and admirable writer Montesquieu says upon this state of things. "When the legislative and executive "powers are united in the same person, "or in the same body of magistrates, "there can be no liberty; because ap- "prehensions may arise, lest the same "monarch or senate, or the same senate, "should enact tyrannical laws, to execute "them in a tyrannical manner. Again, "there is no Liberty, if the power of "judging be not separated from the legis- "lative and executive powers; were it "joined with the legislative, the life and "liberty of the citizens would be exposed "to arbitrary controul; for the Judge "would then be legislator: and were it "joined to the executive power, the Judge "might behave with all the violence of "an oppressor." Montesquieu has pretty plainly described the mischiefs arising from this union of power, in one and the same body; but this does not meet the evil of the concentration of the three powers, which I have before observed the House of Commons consider as comprehended in their privileges. The following observation, however, of Montesquieu will exactly apply to it. He says, "There "would be an end of every thing *(tout "seroit perdu)* were the same man, or the "same body, whether of princes, or of the "nobles, or of the people, to exercise "those three powers; that of enacting, "that of executing the public resolutions, "and that of judging the crimes of indivi- "duals." It might be considered, with good grounds perhaps, that I had gone far enough to establish a tolerably solid case against the legality, or (in compliance with the distinction used by sir S. Romilly), against the justifiableness of the House of

---

* Reign of Henry 3, vid. Rapin 3 vol. 131.

Commons *, in their detention of a British subject in prison, by virtue of their own mandate; but I will proceed a little farther and enquire somewhat into the precedents, which have been quoted as establishing the right of the House of Commons to the exercise of these extraordinary Privileges, as well as into the assertion which has been made, of its being essential to the existence of the House of Commons, that such Privileges should belong to it. With respect to Precedents, whether they are collected from the æra of the Tudors or the Stuarts; whether from the best or worst periods of our history, I am unable to ascertain how they can weigh one feather in the scale, if found to be in opposition to principle. In order to see what considerable dependence should be placed in the dicta or legal decisions of Judges in former periods, it may not be considered irrelevant, to give an anecdote or two of the penetration and sagacity of those lawyers about two centuries ago. Lord Clarendon gives two instances of infallible judgments during the great fire of London: The Mayor, it seems, proposed to pull down a house in order to stop the progress of the fire, but was opposed by the Lawyers who adjudged the act to be unlawful; and the house was accordingly burnt without being pulled down. Near the same time, it was proposed to break open some houses in the Temple to save the furniture, the owners being in the country; but it was declared burglary to force open a door without consent of the possessor. I presume these must have been legal opinions, founded too on some wholesome precedents; some elaborate judgments of most erudite judges. But what shall be said to the doctrine of a luminary of the law, who has discoursed most learnedly on the jurisdiction of parliament (by which word however I submit none can fairly interpret, as meaning either branch of the legislature separately) I mean that oracle, Sir Matthew Hale; that grand source of legal discoveries. In his Pleas of the Crown, he lays it down, that if a man shooting at a wild pidgeon, happen unfortunately to kill his neighbour, it is in the English law excusable homicide; because the shooting an animal that is no man's property is a lawful act: (this is very sublime) but, "if the aim be at a tame fowl for amusement, which is a trespass on the property of another, the death of the man is manslaughter. If the tame fowl be shot in order to be stolen, it is murder, by reason of the felonious intent;" from this a conclusion is drawn, which is the acmè of the most exalted reasoning, viz. that, if a man endeavouring to kill another, misses his blow, and happeneth to kill himself, he is in judgment of law guilty—guilty of what—of wilful and deliberate self-murder—wilful and deliberate self murder, though he confessedly meant and deliberated no such thing. Really this reasoning is awful; it quite astounds the weak faculties of ordinary men, and forces them into an admiration of the venerable and vast intelligence of the oracles of the law, and ministers of even-handed justice of former times. When these luminaries are found in formidable folios, guarded and clothed with the respectable dust of antiquity, to defend undefined privileges, what man ought to lift up his head, and venture to ask about the principles of the constitution!!! It will not, I think, notwithstanding, be considered quite out of the way, if I leave these more remote judicial authorities, however respectable, to legal antiquaries, and descend to a more recent case of a judge, who appears to have possessed the extraordinary versatility of determining one way in his closet, which he handed to the world in the form of Commentaries, and of deciding in another when his theories were called into practice; I mean Sir W. Blackstone. This judge, in the Case of Brass Crosby, says, "All courts, by which I mean to include "the two Houses of Parliament and the "Courts of Westminster Hall, can have "no controul in matters of contempt. "The sole adjudication of contempts, and "the punishment thereof, in any manner, "belongs exclusively, and without interference, to each respective court. Infinite confusion and disorder would follow, if courts could, by writs of Habeas Corpus, examine and determine the "contempts of others." For a judge who had hailed the suppression of the Star Chamber, and the writ of Habeas Corpus, as blessings which restored the land-marks of the constitution, whereby the Liberty

* The word 'justifiable' as used by sir Samuel Romilly in contradistinction to 'legal' does not seem well founded. What the House has done, is either constitutional or not; and what is constitutional is legal; what unconstitutional illegal. Vide Paley, Moral and Polit. Economy. 2 vol. 208, 16 Edit.

of the Subject was gloriously established against unjustifiable attacks of power; that this judge should, in direct opposition to his Commentaries, deliberately adjudge that the Courts of Parliament and Westminster Hall have the sole power over contempts, and that the punishment thereof in any manner belonged exclusively and without interference to each court, seems so extraordinary, that it leaves but the choice of this alternative, that either the head or the heart of Sir William had greatly degenerated. If the most inveterate enemy of slavery, were to select for abhorrence a trait of Eastern despotism, what one more revolting could he select to an English mind, than that there existed a rule, that those who were appointed to administer justice, should, when offended themselves, inflict without controul what punishment they chose on the offenders? Could any thing more absurd be insisted on to any mind embued with the smallest conception of the attributes of justice. Sir W. Blackstone has however so declared the right of the judges of England—he has done far worse; he has ventured to denominate this arbitrary power, law. For the offended to judge of the injury, and inflict what punishment they please, is law. Despotic power then is law—most refined and pure too this law must be, for it is especially for the guidance of those who administer justice, under the most difficult and delicate of all possible circumstances, that, where they are themselves the interested parties.* Shall we ever again find an advocate for the privileges of the House of Commons to cite this doctrine of Sir W. Blackstone as law? "It blurs the face of modesty" but to recall the case to one's memory. But perhaps we may have some ingenious special pleader gravely telling us, that it is a contempt of court of which Sir W. Blackstone speaks, and that it is the court, and not the judge that is offended. The naked walls of Westminster Hall, no doubt, that are offended. What if his present majesty were to possess, as the chief estate, such a power, would it be the less despotic, that when he inflicted voluntary punishment, he should say it was for an offence against the state of which he was only the representative; could that reason us into the opinion that such an arbitrary act was justice? but Sir W. Blackstone has founded his decision, it may perhaps be said, on solid grounds which he has stated; for he says, "Infinite confusion and "disorder would follow, if courts could, "by writs of Habeas Corpus, examine and "determine the contempts of others." Now let us see what this confusion, what this disorder is, that would be the consequence of divesting courts, (supposing them for a moment to possess it) of this arbitrary power, for on that the judge is silent. And this leads me to enquire, first, what is a contempt of court? I take every act which interrupts or prevents the administration of justice to be a contempt of the court where such a consequence takes place. And I take contempt of court in its fair, legitimate interpretation, to mean no more: nor can any other case arise, as I conceive, where summary attachment can be necessary. If I were to assert that the laws in every court of justice in this kingdom (which I however verily believe not to be the case) are corruptly administered, I apprehend his Majesty's Attorney General would file an Information, *ex officio*, against me; but would it be contended that each court might proceed by the summary process of attachment, and commit me, without any information being exhibited? And why is not this libel, it may be said, by bringing the administration of justice into disrepute, as much a contempt of court as any other? I answer, because the proceedings of no court are thereby prevented or interrupted; and for that reason a summary power becomes unnecessary. The ground of summary commitment, I take to be, that every interruption of justice is a breach of the peace, for which the offender is punishable; and to answer the offence, the commitment of the offender becomes necessary. The same power is invested in an ordinary magistrate, who if he personally see a breach of the peace, has the right of committal. Now in this way, the summary proceeding of attaching the person appears intelligible; but carry it farther, and insist on the right of the judge or magistrate to inflict arbitrary punishment, and the power becomes quite absurd, and devoid of all reason.—When the judge commits for the contempt, why would it occasion infinite disorder, if ano-

* It should seem a strange anomaly, if a contempt should be punishable at the pleasure of a court, and that the greatest crime the law contemplates, high treason against the state, should be left for the decision of a jury.

ther court could interfere by Habeas Corpus, and ascertain and adjudge the punishment due to the crime? Is it to be apprehended that no other court would decide justly, but the court where the offence originated?—that indeed would be a libel on justice—what if the offender should be punished only with such severity for this breach of the peace, that he should contumaciously offend again? Would not the judge again commit him, and would not any other court just as well consider the aggravated crime, as the judge who had been a second time offended? I am quite unable to discover the confusion that would follow in this case. On the contrary the converse of these proceedings, as maintained by Blackstone, if it lead not to confusion, it overturns at least all the barriers of political liberty, and subverts the very ends of justice. Considering the admirable Essays on the Laws and Constitution of England, which have been so exquisitely compiled by Sir William Blackstone under the title of Commentaries, I should propose as a tribute of gratitude for so valuable a performance, that the Case of Brass Crosby be for ever obliterated from the Legal Reports; that the memory of that able man may no longer be disgraced, with so weak, so feeble a performance, as his decision and reasoning there exhibit. Now, Sir, with respect to the House of Commons, it will be seen in Judge Blackstone's decision, (beyond which, I apprehend, the most strenuous advocate for arbitrary power will not advance,) that that House is assimilated in point of power in commitments, to the courts of Westminster Hall. Their powers in cases of contempt appear to be co-equal. Now if the courts of Westminster Hall have no such power as that contended for by the House of Commons, I mean the power of punishing *ad libitum*, and that they cannot, I think must be unquestionable to every reasonable man, why then it follows the House of Commons cannot have it; for the power of that House is said to be analogous to that of the Courts of Record. But I think it will appear clear that the House of Commons, without adopting such analogy, does not possess the power of punishing for contempts. Mr. Fox, whose knowledge must have been considerable upon this constitutional and important question, in his Letter to Mr. Perry published lately in the Morning Chronicle, asserts, that the House of Commons, clearly cannot imprison for a time certain, nor impose a fine; and I understand this proposition stands conceded by the House at this moment. Now this I consider to be a most important circumstance in the reasoning on the Privileges of the House, and which on due attention will determine the question. If the House have the sole right of judging of a contempt, and of punishing the offender, how does it happen that the Commons cannot commit for any definite time, or impose any fine? I should very much wish any gentleman to shew me the consistency in the right claimed, and the restriction admitted; how they can on any possible view be made to accord: how they can co-exist. I do not expect a satisfactory answer which can justify the privilege claimed; but I will venture to point out a mode of reasoning resulting from the restriction which I think will be satisfactory, and which strongly tends to establish the proposition that the Commons are disabled from inflicting punishment. The power of commitment for any thing which interrupts the proceedings in the House of Commons, is what I have no objection to concede; it seems reasonable, and what ought to be inherent in every Court, House, or Assembly of legitimate authority. But this committal is, I contend, not as a punishment, but only as a necessary preliminary to judicial investigation. Now the restriction from commitments for a definite period, and the assessment of a fine, most clearly evidence the accuracy of what I have stated. For when we consider for a moment, we shall find the distinction between commitment and commitment for a determinate period, however limited the latter, though it were only for an hour, to be founded on totally different principles. The latter, or commitment for a time certain, presupposes an offence, the extent and delinquency of which has been ascertained; the limited time of imprisonment being the punishment adequate to the crime. For there is no other principle for confining a man for a day and then liberating him, but that of punishment. It must be the latter, or absolute despotism. The fine certainly admits of the same reasoning, and leads to the same conclusion. It must be either a legal infliction of punishment, or it must be arbitrary power. But the House of Commons, I submit, cannot punish, because they are not a Court of Judicature; for they cannot examine upon oath, one of the indispensible fea-

tures of such a court; and because if they were a Court of Judicature, they could not judicially investigate an offence committed against themselves, and award a punishment due to the crime. If this be denied, let it be pointed out upon what principle of common sense the House is restricted from inflicting definite imprisonment, or imposing a fine. It will not be said the House is restrained from the former power, because if a definite period of Imprisonment were awarded, the House might be dissolved before the time expired, and that their powers would cease to exist. This would be an absurd answer, because it would just as strongly apply against the punishment awarded by a Judge, who might before the expiration or infliction of the punishment, be either dead, or removed by impeachment; or might have retired. I cannot therefore but feel, that the restrictions I have mentioned, point out the line of demarcation in respect of the Privileges of the House in a most clear and forcible manner; thereby making their Privileges extending to commitment, consistent with the laws of the land, and not a virtual repeal of the land-marks of the constitution, which, as it should seem to me, would conclusively follow an extension of the powers of the House of Commons to the degree insisted upon, viz. of punishing at pleasure. The reasoning which occurred to Sir Samuel Romilly, in considering the state of our penal laws,* in his argument to shew the impropriety of leaving any thing discretionary with a judge, is similar to what I have been contending for: Sir Samuel says "unknown laws are the same as non-existing laws. It is a necessary consequence of knowing what actions are "punishable by law, that it should also "be known what a man may do without "fear of punishment; and it is not," he continues, "a little extraordinary, that "in a country in which men have been "accustomed to think that one of the "greatest political blessings they enjoyed, "was that they lived in the security which "known and certain laws afforded them, "we should be told by a writer of such high "character, and such extraordinary merit "as Dr. Paley,† that it is good that laws "be not known, because if known, they "might be evaded;" and again this gentleman says, "If imprisonment for debt "is to be justified on the ground of "punishment, it should be observed, "that in this respect it differs from the "punishment of all other crimes, that a "power of pardoning exists no where but "in the offended creditor."* I hope it may be considered, Mr. Cobbett, an excusable digression, if I make an observation on the circumstance of two such considerable men as Dr. Paley, and Sir Samuel Romilly, speaking gravely and seriously of unknown laws. It is with great submission I say it, and I should not say it but that I deem it important, that it is entirely a perversion of sense, to talk of an unknown law, in the political view in which Dr. Paley and Sir Samuel Romilly both use this word. Publicity is the very essence of its definition: under every established government, laws mean a code or body of rules for the regulation of the state; a breach or non-observance whereof is criminal; but it cannot be a crime to disobey rules which no man can ascertain to exist. An Eastern Potentate might determine, that every one of his subjects who should happen to pass his palace at a certain hour should be decapitated, and this resolution might no doubt be kept by this sovereign in petto. Now, that this would be an extraordinary exercise of arbitrary power there could be no question, but surely it could not be termed law. In the political sense in which "law" is used, Dr. Johnson has given a clear definition; it is, says the Doctor, "A decree, edict, statute, or custom, publicly established as a "rule of justice†." Law and Political Liberty are words to an Englishman, of very valuable import, and synonymous in their meaning; and nothing can be more essential, than that there should be no vague and loose interpretation of a word, which, if it admitted the alarming quality supposed by the above gentlemen, would undoubtedly place Englishmen in danger of being law-less. I have already occupied too many of your pages, Mr. Cobbett, and I will now endeavour to conclude with what brevity I am able. I am at a loss to ascertain why Magna Charta should not in its operation be held to relate to the House of Com-

* Sir Samuel Romilly on the Criminal Law.

† Dissertation on Crimes and Punishments, vid. Mor. et Polit. Phil.

* Note, c. 42.

† Dictionary, voce, "law."

mons. The words "per legem terræ," it may be pretended, apply to the privileges in question; but considering that the house where these privileges are said to have a place, had an *ex post facto* existence, the inference seems uncommonly strained. But what, let me ask, will be said to the statute which passed in the 28th of Edward 3*, which enacts "That "no man of what estate or condition so-"ever, shall be put out of his land or "tenement, nor taken, nor imprisoned, "nor disinherited, nor put to death, with-"out being brought in to answer by due "process of law." Will it be attempted to be argued, that the Speaker's Warrant is due process of law within the meaning of this statute? If not, is this statute repealed? on the contrary, it is stated by note in the statute books, to have been recognised and confirmed by that memorable statute which abolished the Court of Star Chamber, and gave the writ of Habeas Corpus; a statute of which an able author thus speaks, "We must ad-"mire, as the key stone of Civil Liberty, "the statute which forces the secrets of "every prison to be revealed, the cause "of every commitment to be declared, "and the person of the accused to be pro-"duced, that he may claim his enlarge-"ment or his trial, within a limited time. "No wiser form was ever opposed to the "abuses of power. But it requires a fa-"bric no less than the whole Political "Constitution of Great Britain, a spirit no "less than the refractory and turbulent "zeal of this fortunate people, to secure "its effects."† During the contest respecting the Middlesex Election in the time of Mr. Wilkes, Lord Chatham made several motions grounded on the illegality of the powers assumed by the House of Commons. These motions were opposed by the then Chief Justice, Lord Mansfield; but notwithstanding the strong support which power and prerogative had ever met with in this Judge, it is deserving of consideration, what cautious and ambiguous language his Lordship used with regard to the Privileges of the Commons. He said, "Declarations of the "law made by either House of Parlia-"ment, were always attended with bad "effects; he had constantly opposed "them, whenever he had opportunity, "and in his judicial capacity thought "himself bound never to pay the least "regard to them." But then with that flexibility; with that peculiar quality of mingling light with shade, which his Lordship possessed, thereby frittering strong and clear passages into unintelligible obscurity; he proceeded to observe in the same Speech, "That for his own part, "whenever the statute law was silent, he "knew not where to look for the law of "Parliament, or for a definition of the "Privileges of either house, except in the "proceedings and decisions of each house "respectively." But can it be said, after Magna Charta, and the still stronger declaration in favour of the Liberty of the Subject enacted in the reign of Edward 3, could my Lord Mansfield have said, in this instance, that the statute law was silent? If not, how are the Privileges in question to be defended. But even with that qualification, of the silence of the statute law, in the Case that then occurred, Lord Camden, that able and enlightened statesman and lawyer, and who in consequence resigned the seals, in unison with that yet greater man Lord Chatham, opposed the doctrine of Lord Mansfield, and the Privileges claimed by the Commons, as subversive of the constitution. "What then, my "Lords," said Lord Chatham, "are all "the generous efforts, the glorious con-"tentions of our ancestors reduced to this "conclusion, that, instead of the arbitrary "power of a King, we must submit to the "arbitrary power of a House of Com-"mons? Tyranny, my Lords, is in no "shape so formidable as where it is assu-"med and exercised by a number of ty-"rants. But, my Lords, this is not the "constitution; for we all know that the "first principle of the constitution is that "the subject shall not be governed by the "arbitrium of any one man or body of "men, but by certain laws to which he "has virtually given his assent."* These Sir, are the authorities, which the small portion of time I have been able to afford to the very important subject under discussion, have fallen under my observation. —Trifling must be the reasoning required to prove that the precedent which is founded on usage, can never prevail against those acknowledged principles of Justice, which are as immutable as their great Author, who in the plenitude of his goodness, has so strongly impressed them upon our understandings; these, no so-

* Chap. 3.

† Ferguson on Civil Society.

* Debates 1770.

"With regard to the Ministers of Justice," says Forster, "executing the ordinary Process of the Law, and likewise to private persons endeavouring to arrest or imprison, it behoveth them to be very careful that they do not misbehave themselves in the discharge of their duty, lest by such misbehaviour they lose the protection of the law—One frequent instance of their misbehaviour is, their breaking open doors or windows, in order to arrest—Now, be it understood that the Officer cannot justify the breaking open an outward door or window to execute Process in a Civil Suit —If he doth, he is a trespasser; but if he findeth the outer door open, and entereth that way, or if the door be opened to him from within, and he entereth, he may break open inward doors if he find that necessary, in order to execute his Process—The Books say, that a Man's House is his Castle for safety and repose to himself and family, and consequently the Officer, in the case I have put, being a trespasser himself, cannot be said to be acting in discharge of his duty.—These suppositions are inconsistent and destroy each other—But if he findeth the door open, or gaineth admission from within, he having a lawful call to the place, as he certainly hath, cannot be a trespasser in entering the house, and consequently may remove any obstruction he meeteth with in prosecuting the business he came about."

Such therefore is the Law of Warrants in Civil Cases, as stated by Sir Michael Forster in his justly celebrated Treatise on Crown Law—The argument is not very clearly stated, but reduced to its terms is logical and sound. It is briefly this—

By a principle of Law, an Englishman's House is a Castle, and therefore must not be forcibly entered, except for a greater wrong than would be the forcible entrance itself.

Now the forcible entrance itself would be a Trespass.

The House, therefore, cannot be forcibly entered except for something beyond a Trespass—and all suits in Civil Process being laid in Trespass, the House of course cannot be legally entered with force by Civil Process.

Now, therefore, we would ask, why should the Speaker's Writ be considered in any other point of view than as a Civil Process, or rather as a Warrant in execution for contempt—In the dearth of all adjudged cases, says the Attorney-General, we must have recourse to analogy—Let us have recourse to it, therefore, but let the analogy be drawn from the whole body of the Constitution—its maxims, its principles, and its acknowledged elements, —and not from something picked out by the ingenuity of a Crown Lawyer—The argument of analogy is good for nothing, unless where it be laid in the community of essential qualities—To any legal and logical purpose similitude is not analogy—*Nullum simile*, says Lord Coke, *quatuor pedibus currit*,—or, in other words, and as perhaps that quaint Lawyer would himself translate it, Law can never ride safely on the back of mere Simile.

The first maxim of the Law, and therefore the first ground of Analogy, is what we have above mentioned—the Sanctity of the dwelling,—the Privilege of Home, and thence the consequential rule, that this Sanctuary should not be violated except in the case of Crimes,—that is to say, Breach of the Peace and Felony.—Now it is not pretended, and could not be maintained, that the case was in either of these predicaments, the Warrant being a Warrant of Privilege, and not a Peace-Warrant,—being under the hands of the Speaker as Speaker, and not of a Magistrate—What has been said of its being a Warrant in Execution does not alter the case, because all Warrants in Contempt are Warrants in Execution—there is no mesne process in this species of offence; the judgment is final at once.

On what, therefore, is the Legality of the Warrant alledged—This leads us to our second head, how far it is a Criminal Process.

2dly. "There is no precedent," says the Attorney-General, "and therefore the case must be decided on analogy; and in the absence of any direct case, he did not see why such a warrant as that directed to the Serjeant, should not be executed in the same manner that a criminal process, where the king was the prosecutor, would be carried into effect. It was in that view the present case could only be considered, there being no direct authority to support its exercise. It was to be observed, that the fullest notice should be given to the individual whose person was to be seized, of the purport of the officer's coming. He also was of opinion, that the proper officer might call to his aid all species of aid, military as well as civil. He did not think that the warrant should be executed at night, but in case of any rescue he was fully of opinion, that it was

perfectly legal to break in and search, not only the houses of the individual rescued, but of any other person, where there was a justifiable suspicion to suppose that he vas concealed." An argument of analogy, as we have above said, can only be good for any thing, inasmuch as it is laid in the community of the essential qualities of the subjects compared,—that is to say, in that part of the substance which operates the law in the one case, and which, having a counterpart in the other object of the comparison, constitutes a fair ground of reasoning; that the analogy of the premises should lead to a similar correspondence of the logical consequences.

Now. what is this essential quality in the King's Writ? That is to say, in Writs of Peace and Felony. What is that quality in the nature of these subjects which induces the law to exempt them from the limits of its maxim in Civil Process, and to allow them to come at the criminal by breach of outer doors, &c.?

There are but two possible qualities on which this distinction can be founded; it is either granted *ex vi dignitatis*, from the personal dignity of the throne, or *ex vi criminis*, from the nature and character of the offence.

If it be assigned to the first, the Constitution will not extend the same consideration of dignity to the Commons. The Commons may be co-ordinate in power, but certainly not in dignity with the Crown. The Commons, as has been observed, have no ensigns of royalty. They are the Honourable House, but nothing more. If their dignity be assumed as the measure of their legal and constitutional competency, it will be still worse for the country than their present assumption of Privilege. Privilege may possibly have some limits; dignity has none. It is not a thing of quantity or measure. We hope, therefore, that the power now assumed will not be grounded on the alledged dignity of the House, and that in the argument of the Attorney General the analogy is not laid in their co-ordination of dignity.

The point of fact, however, is, that the King's Writs have this effect not from the dignity of the name, but *ex vi criminis*. Let us hear Forster again.

"The rule already mentioned (that of not breaking Doors) must be confined to the cases of arrest upon Process (here the Process meant is either mesne or final) in civil suits. For where a felony has been committed, or a dangerous wound given, or even where a minister of Justice cometh armed with process founded on a breach of the peace, the Party's own House is no sanctuary to them, Doors may in any of these cases be forced, due notification, demand, and refusal of entrance having been previously made. In these cases the jealousy with which the Law watcheth over the public tranquillity (a laudable jealousy it is;) and the principles of justice, *Ne maleficia remaneant impunita*, all conspire to supersede every pretence of private inconvenience, and oblige us to regard the dwellings of malefactors when shut against the demand of public Justice as no better than the Dens of Thieves and Murderers, and to treat them all accordingly."

Such, therefore, are the only principles on which the Law takes from a man the sanctuary of his dwelling house; that is to say, when by an atrocious crime he has himself defiled, and, as it were, unsanctified his refuge, and, instead of that peaceful home, which the Law terms his Castle, has rendered it a den of thieves and outlaws.

Now in the case immediately under consideration does there seem any crime of this nature? Breach of the Peace, as we say, is not pretended; and surely contumacy to the Honourable House cannot be put on a par with Felony.

Thus, therefore, neither in dignity, nor in the atrocity of the crime, does there seem any parallel between the two cases —the King's Writs or the Speaker's Writs—to justify the same resort in both, and to constitute that analogy which is necessary to ground a legal conclusion. Analogy, as we have said, must not be confounded with Similitude. Similitude is mere superficial resemblance, and belongs to Poets and Orators—Analogy is such a resemblance in substance and essential qualities, that in reasoning the two objects may be *quatenus*, as the Logicians express it—substituted for each other, and belongs to Lawyers and Reasoners.

But if the Warrant be good for any thing, says Sir John Anstruther, it is good for every thing!—Indeed! Why may not a warrant, like every thing else, be good to a certain extent, and no farther; and may be good for one thing and not for another. Sir John Anstruther may be a good Judge for India; does it hence follow that he would be a good Judge for England? The King's Writ to the Sheriff

is good to arrest a man in the street, or to enter a house after the door is open; but is it a good Writ to break doors or windows, &c?

"But this power is necessary to resist Prerogative," says Mr. Whitbread. Many other Powers may be necessary to the same end. There will be no end of this necessity, if the presumption of it be assumed as the justification of such Rights. But when the battle is between Privilege and Prerogative, they must fight it out with their own weapons. The Law will give little help to either.

Mr. Whitbread again instanced the case of the witnesses of Mrs. Clarke refusing to appear. This is totally a different thing. The House is there a Grand Jury, and may send for any one; they do not there act upon their privileges, but on their judicial rights.

To say all in a word,—what does the Warrant specify as the Crime of Sir Francis Burdett?—It specifies Breach of Privilege,—or, if broken into particulars,—Libel—and Contempt of Court—Now it has been ruled in Wilkes's case by Lord Camden, that Libel is not a Breach of the Peace, but only tends to it,—and therefore, that it will not justify breach of outer doors,—no, not even the arrest of a Member of Parliament—It is the same with respect to Contempt of Court—No Civil Process, founded on Contempt, can justify this Breach of House—For example, the King's Bench never assumes to do it, when they issue attachments for not obeying Awards, Orders of Court, &c. Now if the act or crime alledged can be brought within any of these specific analogies, where is the necessity of wandering with the Attorney General into the wide field of general analogy—The reason of the Law, where it can be had, is better than the reason of the Judge, and particular analogies are, for the same reason, better than general ones, because they more narrowly limit a discretional interpretation, and because, if they cannot reach the actual certainty of a rule, they more nearly approximate to it.

It is our opinion, therefore, that the mode in which the Speaker's Warrant has been executed is illegal, and that Sir Francis Burdett may, if he so please, indict the Serjeant and his assistants for a forcible entry into his dwelling-house, or bring a Civil Action of Trespass against them.

OFFICIAL PAPERS.

NOTES *of the French Official Paper, the* MONITEUR, *upon the* DEBATES *in the House of Lords on the Motion of Thanks to Lord Wellington.* — *(Continued from p. 576.)*

Had the French army been conducted with more experience, the victory would have been complete, and not an Englishman would have escaped. The French General ought not to have committed the error of attacking the English; he ought to have let them advance upon Madrid, in order that the 80,000 men under the command of the Duke of Dalmatia might cut off their retreat by the Tagus.

The English had so little success at Talavera, that they suffered the King to fall upon and destroy the army under Venegas; and surely that must be a very singular success, which could not prevent an enemy from marching to destroy an allied corps, the day after the battle. Lord Wellington conducted himself with little military skill. When he heard of the arrival of the French at Placentia, he thought they were only about 6,000; and it was not until a few days after, that he saw the necessity of re-crossing, to prevent his retreat being cut off by the Duke of Dalmatia. There was no success in Portugal, because there was no fighting there, and because the Duke of Dalmatia evacuated it on learning that the English had joined the Spaniards.

Lord Wellington's march to Talavera discovers the rash and unskilful General. To have the whole country at command, and not to know where the enemy is, is a thing almost inconceivable. But this is not the first time that the English have lavished their money without any advantage.

Lord Wellington did not, from choice, take a possession of Almenida; he was compelled to it by the Duke of Dalmatia; and, probably, the French army, in which there were two excellent corps, the 5th and the 6th, ought not to have taken the pains of moving for such an object. The English thought that the war with Austria had weakened the army in Spain: they were mistaken in their calculation.

(To be continued.)

Published by R. BAGSHAW, Brydges-Street, Covent-Garden:—Sold also by J. BUDD, Pall-Mall,
LONDON:—Printed by T. C. Hansard, Peterborough-Court, Fleet-Street.

COBBETT'S WEEKLY POLITICAL REGISTER.

VOL. XVII. No. 17.] LONDON, SATURDAY, APRIL 28, 1810. [Price 1s.

INSCRIPTION FOR A MONUMENT AT OLD SARUM.

" Reader, if thou canst boast the noble name
" Of Englishman, it is enough to know
" Thou standest in OLD SARUM. But if chance
" 'Twas thy misfortune in some other Land,
" Inheritor of slavery, to be born,
" Read and be envious!—Dost thou see yon *Hut*,
" Its old, mud, mossy walls with many a patch
" Spotted? Know Foreigner! so wisely well
" In England is it ordered, that the Laws,
" Which bind the people, from themselves should spring;
" Know that the Dweller in that little Hut,
" That wretched Hovel, to the Senate sends
" Two Delegates.—Think Foreigner, where such
" An Individual's Right, *how happy all!*"

R. SOUTHEY.

SUMMARY OF POLITICS.

SIR FRANCIS'S COMMITMENT TO THE TOWER.——In my last (page 583), I gave an account of the great Public Meeting, held by the Electors of Westminster, at which Meeting it was resolved to present a *Remonstrance* to the Honourable House, and an *Address of approbation and thanks* to SIR FRANCIS. These I also inserted, at the page referred to; and I now insert the ANSWER of Sir Francis to the Address of his constituents. The Address was, it appears, presented by the hands of the High Bailiff of Westminster; and, as every thing, relating to this great cause, is of importance, or may become so, I shall preserve the Note to the High Bailiff as well as the Answer to the Address.

TOWER, *April* 20, 1810.

" Sir Francis Burdett presents his respectful compliments to the High Bailiff of Westminster, and transmits to him his Answer to the Letter of the Electors of that City, which he did him the honour to present to him this morning.

Arthur Morris, Esq. High Bailiff for the City and Liberties of Westminster."

" GENTLEMEN, TOWER, *Apr.* 20, 1810.

" If any thing could increase or confirm the constant resolution of my life, never to betray the confidence you have placed in me, it is the kindness and affection which your letter of the 17th instant testifies to me, and the wisdom and propriety of your conduct at the late Meeting.

" A scrupulous adherence to the common law of this land, and the wise provisions of the ancient statutes, declaratory of that law, which together form what I understand by the Constitution, raised our country to an unexampled height of happiness and prosperity; and in an exact proportion to the invasion and neglect of them, has the country declined.

" In defence of these Laws and this Constitution, I smile at any privation, to which, personally, I may be subjected, thinking, as I do, that life cannot so well, and so happily, because it cannot be so honourably and usefully, expended, as in defence of this our best inheritance, and in the maintenance of the good old cause, for which Hampden died in the field, and Sidney and Russel on the scaffold.

" Laws, to be entitled to respect and willing obedience, must be pure—must come from a pure source—that is, from common consent, and through an uncorrupt channel—that is, an House of Commons freely elected by the people. Moreover, they who pay the reckoning ought to examine and controul the account; and the only controul the people can have is by a fair representation in Parliament. The necessity of obtaining this check by a constitutional Reform is now acknowledged by all, except those who, contrary to law, have possessed themselves of a property in the House of Commons, by whom this land, this England—

——this dear land,
Dear, for her reputation through the world,
Is now leas'd out——

Like to a tenement, or pelting farm;
England, bound in with the triumphant sea,
Whose rocky shore beats back the envious surge
Of watery Neptune, is now bound in with shame,
With inky blots and rotten parchment bonds.

"From this foul and traitorous traffic our borough-monger sovereigns derive an immense revenue, cruelly wrung from the hard hand of honest labour. I do, however, now entertain an ardent hope, that this degraded and degrading system, to which all our difficulties, grievances, and dangers are owing, will at length give way to the moderate but determined perseverance of a whole united people.—— Magna Charta, and the old law of the land, will then resume their empire—freedom will revive—the caterpillars of the state, coiling themselves up in their own naturally narrow sphere, will fall off and perish—property and political power, which the law never separates, will be reunited—the King, replaced in the happy and dignified station allotted him by the Constitution—the people, relieved from the bitterest of all curses, the curse of Canaan—that of being the servants of servants—and restored to their just and indisputable rights.

"To effect these great, important, and necessary purposes, no exertions of mine shall ever be wanting: without their attainment, no efforts of mine can avail.—— The People of England must speak out—they must do more—they must act;—and if, following the example of the Electors of Westminster, they do act, in a firm and regular manner, upon a concerted plan—ever keeping the Law and Constitution in view—they must finally succeed in recovering that to which they are legally entitled—the appointment of their own guardians and trustees for the protection of their own liberty and property. They must either do this, or they must inevitably fall a sacrifice to one or the other of the most contemptible factions that ever disgraced this or any other country.—— The question is now at issue;—it must now be ultimately determined, whether we are henceforth to be slaves, or be free. Hold to the laws—this great country may recover; forsake them—and it will certainly perish.—I am, Gentlemen, your most obedient humble Servant,

FRANCIS BURDETT."

"*To the Electors of Westminster.*"

Amongst many other good things, which have arisen out of this struggle with the Honourable House, nothing is better (because nothing can be more favourable to the cause of public liberty) than the having forced the OUTS to an *open avowal* of their hostility towards SIR FRANCIS and the friends of Reform. To men much acquainted with the state of political parties, this hostility was well known; and, indeed, how was it possible to suppose, that such men as the Grenvilles, the Wynnes; such men as Sir John Anstruther, (lately an *Indian Judge!*) and the Gratuitous Adviser; how was it possible to believe, that such men as these could be otherwise than hostile towards Sir Francis and his principles? But, still, there were many persons, who had, or seemed to have, hopes, that the party called the *Whigs* were friendly to Reform. *Names* do a great deal; and, the name of *Whig* was still a cause of deception. *Now*, however, this name can no longer deceive. Whether from a hope, that the alarm, excited by the "*Piccadilly Expedition*" (as the people in the streets sarcastically termed it); whether from a hope, that this alarm would so operate as to stifle Sir Francis and the cause of Reform; or, from an opinion, that the only chance of ever getting a share of the good things, was to feign alarm, and, under that pretence, after, for a decent period, "*rallying round*" the ministry, to squeeze in amongst them; from whatever cause, or with whatever view, the fact is certain, and a valuable fact it is, that, the moment Sir Francis was in the Tower, the *Whigs*, the whole of the OUTS, the whole of those who have so long been endeavouring to prevail upon the *people* to petition the king to take them into place; it is certain, that, the moment that they knew, that Sir Francis was safe in the Tower, the whole of this faction joined in the outcry against him, and had the audacity to charge him with being the cause of those murders, which had been perpetrated *by the soldiers*, soldiers brought out and *employed for the purpose of causing to be executed an Order of the Honourable House.*——This valuable fact we must now never lose sight of; that both parties are against Sir Francis; that, upon all occasions, we must now speak of the OUTS as being as much, if not more, enemies of Reform, than the INS are; and that it would be folly supreme in any part of the people to place any reliance upon men, who, turn them which way you will, have no other merit than that of opposing bad measures from bad motives.——That this is the light, in which Sir Francis

views the matter is very clear, from the manner, in which he speaks of "*one* or *the* "*other* of the factions." Until now, he may have been restrained by the recollection of former intercourse, from treating the OUTS, or, at least, some of them, in the manner in which they deserved to be treated. They have now cast off all disguise. They saw him *in the Tower;* they were safe beyond his reach for some months at any rate; he could not answer them; *he was in the Tower,* and they fell upon him most heroically.——There is one trick; one attempt to impose upon the public, on the part of the OUTS, that I must notice.——It is this: the OUTS voted against *committing Sir Francis to the Tower;* and upon this they put forward claims to great merit with the people. They have published lists of the *minority* and the *majority* upon the question of *sending to the Tower;* and, pretend to blame the *ministers* for sending him thither. This is a gross attempt at deception. It is not who voted for sending to the Tower that we wanted to know and to remember; but all those who voted for *reprimanding,* which, if the House persisted in its claim, it was easy to foresee must *end in a commitment to the Tower,* or, at least, in something beyond a reprimand. The ATTORNEY GENERAL, in answer to a charge against the ministers for having caused all the disturbances by their rash act of committing to the Tower, instead of adopting the punishment of *Reprimand,* proposed by the OUTS; in answer to this the Attorney General ridiculed the notion of the House *contenting* itself with a reprimand. ——He said, "he would ask those gen- "tleman who had been so anxious for a "vote of reprimand, in preference to that "of commitment, supposing that the ma- "jority of that House had been of their "opinion, in *what manner did they think* "*that reprimand would have been received?* "The Honourable Baronet would have "looked down upon such a censure with "feelings very opposite to those neces- "sary to be entertained by the object "of a reprimand in order to make that "reprimand effectual. That Honourable "Baronet would have looked upon it "*as if a man of rank and eminence was re-* "*primanded by his servants in his servants'* "*hall.*"——The Attorney General was, it seems, *called to order,* doubtless for suggesting the *possibility* of Sir Francis's looking upon the Honourable House as a pack of footmen and grooms and lackeys and shoe-boys. This was, to be sure, a most unfortunate suggestion, and that, too, at a moment when the grand object was to maintain "the *dignity*" of the House; but, though I venture not even to give an opinion upon this suggestion of the Attorney General, I have no scruple at all in saying, that that man must have been indeed an ideot, who expected, that the reprimand would not have produced *an answer ten thousand times more cutting* than any thing contained in the publication for having made which the Reprimand was to have been inflicted. So that to vote for a Reprimand was, in fact, to vote for a widening of the breach; it was to vote for a keeping of the quarrel alive; it was to vote, in fact, as heartily against Sir Francis as it was possible to vote.——Those who voted for the Reprimand were by far the bitterest enemies of Sir Francis; and, it will not be forgotten, that the two persons, who spoke the most against his publication, were the late India Judge and the Duke of York's Adviser, who, be it observed, are both ranked in that minority, who are represented as having voted *for* Sir Francis, and *against* his being sent to the Tower, ——There was, indeed, two lists, which it would have been some service to publish, namely; the lists of the majority and the minority upon LORD FOLKESTONE's amendment, which amendment amounted to a declaration that the House had no right to meddle with the matter. These lists would have been very useful: these are the lists which would have shewn us who were for Sir Francis, and who against him; and these lists the partizans of the OUTS have taken special care that the public shall not see any thing of.——This decided hostility, this open hostility of the OUTS, is very favourable to the public cause. The people now see, that there is no good to be expected from *a change of ministry;* that it would be the old thing over again; a mere addition to the pension list, and a new *batch* of every degree; fresh humiliations for the king, and fresh insults on his people.

PARLIAMENTARY REFORM. ——In my last, I had neither time nor room to advert to the notice of MR. BRAND for bringing forward some proposition, relative to this subject.——Mr. Brand has, upon many occasions, spoken out boldly, and, the people will, I am certain, be very glad to see the cause of Reform *heartily* taken up by him. The people are attached to their own interests; and, though there is

some weight, and a great deal, in mere personal character and manners, still, if the people saw any other man as able and as willing to stand by them; if they had proof of such ability and will in any other man, that man would not fail to divide their attachment with Sir Francis, the only way to lower whom from his height of popularity, is, to equal him in endeavours to serve the people.——Of the intended proposition of Mr. Brand I know nothing, and, therefore, I can say nothing as to what it *is*; but, I cannot refrain from expressing my hopes as to what it *is not*; and, I do sincerely hope, that Mr. Brand will not be induced to imitate any of the *patch-work* makers, who have heretofore appeared as Reformers; that he will not attempt to reconcile us to the borough-system by any partial measures, such as the throwing open of some and the suppressing of others, but still keeping the kernel of the accursed thing alive; that he will not attempt to retain any of the present *qualifications* or *disqualifications*, and the disgraceful swearings and lyings from which those restrictions are inseparable; and that he will not, on any account, insult us with any proposition to *buy* up the boroughs, to petition the king and the two Houses to tax us for the means of purchasing the fee-simple of the false-swearing and all the manifold villainies of the boroughmongering crew. It is enough; it is quite enough, in all conscience, to know that we have for so many years, been taxed and governed by men, chosen, in no inconsiderable part, by miscreants, who openly take money from the candidate, and who plainly tell you, that their votes afford them the means of keeping, in part at least, their families; it is quite enough to know this, without being called upon to give part of what property we have left to these ruffians to suffer us to choose our own representatives for the future, to give them, in fact, a bribe in perpetuity; as if we were to say to each individual raggamuffin: "hold, you now "get ten pounds, for instance, a year, "upon an average, for your vote: that, "taken at the rate of freehold property "being thirty year's purchase, is worth "300 *l.* therefore we will give you 300 *l.* "not to vote again." I should as soon consent; nay, I would sooner consent, if I could obtain security for performance of articles, to make a similar compromise with highwaymen and sheep-stealers, whose calling is less disgraceful in itself, and much less injurious to the public, than that of a dealer in boroughs, in seats, or in votes, whether he be buyer or seller, or whether his dealings be in wholesale or retail.——I do hope, that Mr. Brand has none of this sort of proposition in view; for, most assuredly it would be met with shouts of public scorn. I hope, that Mr. Brand has imbibed the conviction, that a Reform, to content people now, must be *real*; that it is not now sufficient to hold out a splendid project; that we are all thoroughly persuaded, that nothing can save this nation short of a House of Commons, upon the plan, or, at least, upon the principles, of Sir Francis.——Mr. Brand may be assured, that the people have *now* not the smallest doubt as to the real great cause, the principal predominating cause, of all their distresses and of the disgraces and dangers of their country. There have, of late, appeared so many proofs, so clearly given, of the source of all our national calamities, that no doubt can or does remain; and you can meet with no man, even amongst the least-informed part of the community, who does not perceive, that this source is the borough-mongering system. The thing is now understood; it is seen through; the very common people can easily trace the power of pocketing the public money to the possession of borough interest, or, in other words, to the possession of votes. The whole of the traffic is as well understood as that of the chandler's shop; and *boroughmonger* has, at last, taken its place at the head of the commonly-used appellations of infamy. Those who merit this appellation should, through the means of some vote in parliament, be pointed out by *name*. They ought to be known: these daring, these audacious violators of the law, of act upon act, ought to be known to the people of the whole kingdom; and, I think, that a good preliminary measure would be, a motion for a committee to ascertain *who, the boroughmongers are*.——A dealer in seats or in votes is a violator of the law. He is a robber of the worst description; and, as such he ought to be considered and treated. The thief, who should steal my horse or my sheep, I would much sooner forgive, than the thief, who robs me of my rights, and, by that means, of my property, and who commits this robbery under the forms imposed by the very law that he violates.——In my last, I took a hasty view of the baleful effects of the borough-

mongering system as to the filling of offices in the state. A correspondent, in confirmation of what I then said, has referred me to the following striking passage of a celebrated work, touching upon the same topic, and written about fifty years ago. "In a nation," says the author, "circumstanced like *ours*, the great contention "among those of quality and fortune will "probably lie in the affair of ELECTION "INTERESTS: that next to effeminate "pleasures and gaming, this (for the same "end as gaming) will of course be the "capital pursuit: that this interest will "naturally be regarded as a kind of "*Family-Fund*, for the provision of the "younger branches; and that its force "must arise from this principle, that in "case the head of the family is not *gratified* in his lucrative demands, he and his "dependants will raise a combustion in "the state. Viewing the affair, then, in "this light; we shall see that, beside the "general ill influence of Faction, this "principle of disunion must farther tend "to weaken or destroy both the national "capacity and the national spirit of defence. For, in a nation so circumstanced, through the strength of this "principle, many high and important "posts, in every public and important "profession, must of course be filled by "men, who, instead of ability and virtue, "*plead this interest for their best title.*—— "How, indeed, can it be otherwise, while "the consciousness of this principle has "any place in the mind? *Is not the parliament interest of every powerful family "continually rung in the ears of its branches "and dependants?* And does not this inevitably tend to relax and weaken the "application of the young men of quality "and fortune, and render every man, "who has reliance on this principle, less "qualified for those stations, *which by this "very principle he obtains?* For why should "a youth of family or fashion (thus he "argues with himself) why should *he* "submit to the drudgery of schools, colleges, academies, voyages, campaigns, fatigues and dangers, *when he can rise to the "highest stations by the smooth and easy path "of parliamentary interest?*" —— To be sure. How is it to be expected, that men will encounter toils and dangers for the obtaining of that, which is to be obtained by intrigue, lying, swearing, and the employment of the base means, which any fool, provided he have a little of the cunning of knavery, can so easily employ? The wonder is, that, under such a system, the affairs of a nation can be carried on with sufficient consistency even to keep the government, in any shape, in existence.——MR. BURKE, in his speech upon that famously flagrant job, the payment of the Nabob of Arcot's debts, an affair which began in February 1785, *more than 25 years ago*, and which affair *still* is a drain upon the nation, which has to support a set of Commissioners to do something or other about those debts; upon that occasion Mr. Burke described the means by which the borough-system plundered the public. The job itself he describes thus:—"All the acts and muniments in the "records of peculation; the consolidated "corruption of ages; the patterns of exemplary plunder in the heroic times of "Roman antiquity, never equalled the "gigantic corruption of this single act. "Never did Nero, in all the insolent prodigality of despotism, deal out to his "Prætorian guards a donation fit to be named with the largess showered down "by the bounty of our Chancellor of the "Exchequer on the faithful band of his "Indian Sepoys."——Such was the job, which was sanctioned by the House of Commons. Such was the manner, in which the people's money was expended by "*the guardians of the public purse.*" Let us now hear what was the object which the minister (Pitt), according to MR. BURKE (on whom he afterwards bestowed a pension) had in view; and we shall see the close connection between this act of "gigantic corruption" the minister's keeping his place by means of the borough-mongers. We shall here see BENFIELD, who was to share the greatest part of the profits of this job, *paying the minister in votes.* The minister had been, and still pretended to be, a *parliamentary reformer*, and this is what Mr. Burke alludes to in the following passage.——"You are perfectly sensible that a Parliamentary Reform occupies his thoughts day and "night, as an essential member in this extraordinary project. In his anxious researches upon this subject, natural instinct as well as sound policy, would direct his eyes, and settle his choice on "PAUL BENFIELD. Paul Benfield is the "grand parliamentary reformer, the reformer to whom the whole choir of reformers bow, and to whom even the "right honourable gentleman himself "must yield the palm. For what region "in the empire, what city, what borough,

"what county, what tribunal, in this king-
"dom, is not full of his labours? Others
"have been only speculators; he is the
"grand practical reformer; and whilst
"the Chancellor of the Exchequer pledges
"in vain the man and the minister, to in-
"crease the provincial members, Mr.
"Benfield has auspiciously and practi-
"cally begun it. Leaving far behind
"him Lord Camelford's generous design
"of bestowing Old Sarum on the bank of
"England, Mr. Benfield has thrown in
"the borough of Cricklade to reinforce
"the county representation. Not content
"with this, in order to station a steady
"phalanx for all future reforms, this
"public-spirited usurer, amidst his chari-
"table toils for the relief of India, did not
"forget the poor rotten constitution of his
"native country. For her, he did not
"disdain to stoop to the trade of a whole-
"sale upholsterer for this house, to fur-
"nish it, not with the faded tapestry
"figures of antiquated merit, such as de-
"corate, and may reproach some other
"houses, but with real, solid, living pat-
"terns of true modern virtù. Paul Ben-
"field made (reckoning himself) *no fewer*
"*than eight members in the last parliament.*
"*What copious streams of pure blood must he*
"*not have transfused into the veins of the pre-*
"*sent!* * * * * * *
"* * * * * * *
"On his part he [Atkinson, Benfield's
"Agent] was not wanting in zeal for the
"common cause. "His advertisements
"shew his motives, and the merits upon
"which he stood. For your minister,
"this worn-out veteran submitted to enter
"into the dusty field of the London con-
"test; and you all remember, that in the
"same virtuous cause he submitted *to*
"*keep a sort of public office or counting-*
"*house, where the whole business of the last*
"*general election was managed. It was openly*
"*managed by the direct agent and attorney*
"*of Benfield. It was managed upon In-*
"*dian principles and for an Indian interest.*
"This was the golden cup of abomina-
"tions; this the chalice of the fornica-
"tions of rapine, usury, and oppression,
"which was held out by the gorgeous
"eastern harlot; which *so many of the*
"*people, so many of the nobles of this land*
"*drained to the very dregs.* Do you think
"that no *reckoning* was to follow this lewd
"debauch? that no payment was to be
"demanded for this riot of public drun-
"kenness and national prostitution? Here!
"you have it before you. *The principal of*
"*the grand election manager must be in-*
"*demnified; accordingly the claims of Ben-*
"*field and his crew must be put above all in-*
"*quiry.* I have thus laid before you, Mr.
"Speaker, I think with sufficient clear-
"ness, *the connection of the ministers with*
"*Mr. Atkinson at the general election;* I
"have laid open to you the connection of
"Atkinson with Benfield; I have shewn
"*Benfield's employment of his wealth, in*
"*creating a parliamentary interest, to pro-*
"*cure a ministerial protection;* I have set
"before your eyes his large concern in
"the debt, his practices to hide that con-
"cern from the public eye, *and the liberal*
"*protection which he has received from the*
"*minister.* If this chain of circumstances
"does not lead you necessarily to con-
"clude that *the minister has paid to the*
"*avarice of Benfield the services done by Ben-*
"*field's connections to his ambition,* I do not
"know any thing short of the confession
"of the party that can persuade you of
"his guilt. Clandestine and collusive
"practice can only be traced by com-
"bination and comparison of circum-
"stances. To reject such combination and
"comparison is to reject the only means
"of detecting fraud; it is, indeed, to give
"it a patent and free licence to cheat
"with impunity. I confine myself to the
"connection of ministers, mediately or
"immediately, with only two persons
"concerned in this debt. How many
"others, *who support their power and great-*
"*ness within and without doors,* are con-
"cerned originally, or by transfers of
"these debts, must be left to general
"opinion. I refer to the reports of the
"select committee for the proceedings of
"some of the agents in these affairs, and
"their attempts, at least, *to furnish mi-*
"*nisters with the means of buying general*
"*courts, and even whole parliaments, in the*
"*gross.*——I know that the ministers
"will think it little less than acquittal,
"that they are charged with having taken
"to themselves some part of the money
"of which they have made so liberal a
"donation to their partizans, though the
"charge may be indisputably fixed upon
"the corruption of their politics. For
"my part, I follow their crimes to that
"point to which legal presumptions and
"natural indications lead me, without
"considering what species of evil motive
"tends most to aggravate or extenuate
"the guilt of their conduct. But if I am
"to speak my private sentiments, I think
"that in a thousand cases for one it would

" be far less mischievous to the public, " and full as little dishonourable to them- " selves, to be polluted with direct bribery, " than thus to become a standing auxi- " liary to the oppression, usury, and pe- " culation of multitudes, in order to ob- " tain a corrupt support to their power. " *It is by bribing, not so often by being bribed,* " *that wicked politicians bring ruin on man-* " *kind.* Avarice is a rival to the pursuits " of many. It finds a multitude of checks, " and many opposers, in every walk of " life. *But the objects of ambition are for* " *the few; and every person that aims at in-* " *direct profit, and therefore wants other pro-* " *tection than innocence and law, instead of* " *its rival becomes its instrument.* There is a " natural allegiance and fealty due to this " domineering paramount evil, from all " the vassal vices, which acknowledge its " superiority, and readily militate under " its banners; and it is under that dis- " cipline alone that avarice is able to " spread to any considerable extent, or to " render itself a general public mischief. " It is therefore no apology for minis- " ters, that they have not been bought " by the East India delinquents, but " that they have only formed an alliance " with them *for screening each other from* " *justice,* according to the exigence of " their several necessities. That they have " done so is evident; and the junction " of the power of office in England, with " the abuse of authority in the East, has " not only prevented even the appearance " of redress to the grievances of India, " but I wish it may not be found to have " dulled, if not extinguished, the honour, " the candour, the generosity, the good " nature, which used formerly to charac- " terize the people of England. I con- " fess, I wish that some more feeling than " I have yet observed for the sufferings of " our fellow-creatures and fellow-subjects " in that oppressed part of the world, had " manifested itself in any one quarter of " the kingdom, or in one large descrip- " tion of men."——Here is a complete instance from beginning to end. I could have taken instances full as strong and of much more modern date; but, I chose rather to take an instance in the words of another, and especially as that other is so frequently quoted by those, who are opposed to a Reform.——Is it not evident, that if the *people* of England, all the people of property, had had the choosing of their representatives, they never would have suffered Paul Benfield to have *eight members* in the Commons' House? In another part of the Speech, Benfield is described as " a wretch, *whose carcase* " *ought, long ago, to have fattened the region* " *kites.*" And yet this " wretch" could put eight members into the House of Commons; aye, but what is more, his eloquent accuser could support the system, by which this " *region kite*" gentleman was not only enabled to put, on his own account, eight members into the House, but by which he was enabled " *to* " *manage the whole business of a general elec-* " *tion.*"——Mr. Burke, alas! was himself, with all his eloquence and his philosophy, dependent on the borough-mongering system, the influence of which system, would, had he opposed it, have kept him out of the House, or would have ruined him.——But, what appears unaccountable to me, is, that a man, after giving this description of the conduct of Benfield and the Minister; after shewing that seats had been bought by the former for insuring the Minister votes in the House, in return for which the Minister was giving him the public money by hundreds of thousands of pounds, part of our present enormous debt; and, after describing, in strains so eloquent, the injustice, the misery, the cruelty, the national infamy, flowing from this source: the wonder to me, is, how, after this, this same man could have the face to pretend *that the system ought to remain,* and that to attempt to change it would be to *endanger the happiness of the nation!* What was it, in fact, but saying, " Here is a villain, whose " carcase ought, long ago, to have been " suspended on a gibbet; this villain, by " the means afforded by the borough- " mongering system, has put eight members " into the House, which ought to repre- " sent the people; he has kept a sort of " public office for dealing in seats in this " House; he has given his bought votes " to the Minister; by the means of those " votes the Minister has been able to keep " his place and his power; and, in pay- " ment for those votes the Minister is " now, under pretence of paying debts to " the Nabob of Arcot, drawing money " from the people in taxes to put into the " pocket of this villain and his associates: " All this is true; yet do I say, that this " seat-selling system *is for the good of the* " *nation.*"——In answer to a man, who would thus express himself, there is nothing to *say*. It is clear, that such a man has got beyond the point where *reasoning* is supposed to have any weight. It is clear,

that he has made up his mind to push oppression as far as it will go, without military force; and then to resort to that force. It is quite clear, that he knows that he has the bad cause to defend, and that he is prepared for extremities; that, though he knows his danger to be great from perseverance, he also knows, that Reform would reduce him to his native nothingness; and that, therefore, you have nothing to expect from him *but what you can force from him.*——I am, however, in hopes, that we have not to expect language like this at present. There is, in the public mind, a pretty confident expectation, that this audacious language, this openly avowed love of corruption is no longer to be heard; that the nation is not again to be told, that they must endure to be bought and sold, and that the whole mass of it is corrupt, from the bottom to the top; but that the people themselves, ninety nine hundredths of whom have no voice in elections, are *more corrupt* than the sellers and buyers of seats and of votes. It is my opinion, too, that we shall hear this audacious language no more; but, I would as soon hear it, as to hear of propositions for the *compounding* with the raggamuffins and pettifoggers and borough mongers. The law says, that the constitution is our *birthright*; and I will never give my consent to the *purchasing* of any part of it, especially from miscreants who have stolen it from us.

W^m. COBBETT.

Botley, 26th Apr. 1810.

The Debate on Lord Ossulstone's motion about the murders committed by the Life Guards' Men; the Petition of Capt. Foskett; and the Question of poor ROBERT JEFFERY, *in my next.*

THE SIXTH VOLUME OF

COBBETT'S

Parliamentary History

OF

ENGLAND,

Comprising the Period from the Accession of Queen Anne, in 1702, to the Accession of King George the First, in 1714, is ready for Delivery.

MR. ERSKINE'S (now Lord Erskine) OPINION OF THE PROCEEDINGS OF THE COURT OF KING'S-BENCH IN IRELAND, BY ATTACHMENT. WRITTEN TO A GENTLEMAN OF HIGH REPUTATION AT THE BAR IN DUBLIN.

Bath, Jan. 13, 1785.

SIR; I feel myself very much honoured by your application to me, on an occasion so important to the public freedom; and I only lament that neither my age nor experience are such as to give my opinion any authority with the Court in which you practise; but wherever I have no doubt, I am always ready to say what I think, and you are therefore, very welcome to my most public sentiments, if any use can be made of them.

You have very properly confined your questions to the particular case, furnished me by the affidavit which you have transmitted to me; and my answers therefore need involve in them no general discussions upon the principles of civil government, which in the mere abstract are not often useful, nor always intelligible. The propositions, to which my answers are meant strictly to apply, are, First, Whether the facts charged by the affidavit, on which your Court of King's Bench is proceeding against the Magistrates of Leitrim, are sufficient to warrant any criminal prosecution for a misdemeanor whatsoever? Secondly, Whether, supposing them sufficient to warrant a prosecution by information or indictment, the Court has any jurisdiction to proceed by Attachment? As you are pushed in point of time, I can venture to answer both these questions at Bath, without the assistance of my books, because they would throw no light upon the first from its singularity, and the last is much too clear to require any from them.

As to the first—the facts charged by the affidavit do of themselves neither establish nor exclude guilt in the defendants. In one state of society such proceedings might be highly criminal; and, in another, truly virtuous and legal.

To create a national delegation amongst a free people, already governed by representation, can never be under all circumstances, a crime: the objects of such delegation, and the purposes of those who seek to effect it, can alone determine the quality of the act, and the guilt or innocence of the actors.

If it points (no matter upon what necessity) to supersede or to controul the exist-

ing government, it is self evident, that it cannot be tolerated by its laws. It may be a glorious Revolution, but it is rebellion against the government which it changes.

If, on the other hand, it extends no further than, to speak with certainty, the united voice of the nation to its Representatives, without any derogation of their legislative authority and discretion; it is a legal proceeding, which ought not indeed to be lightly entertained, but which many national conjunctures may render wise and necessary.

The Attorney General might, undoubtedly, convert the facts, contained in the affidavit, into a legal charge of a high misdemeanor; which, when properly put into the form of an information, the defendants could not demur to: but he could not accomplish this, without putting upon the Record averments of their criminal purposes and intentions; the truth of which averments are facts which he must establish at the trial, or fail in his prosecution. It is the province of the Jury, who are the best judges of the state of the nation, and the most deeply interested in the preservation of its tranquillity, to say, by their verdict, whether the Defendants acted from principles of public spirit, and for the support of good government, or sought seditiously to disturb it—The one or the other of these objects would be collected at the trial, from the conduct of the Defendants in summoning the meeting, and the purposes of it when met.

If the Jury saw reason from the evidence to think that its objects, however coloured by expressions the most guarded and legal, were in effect, and intended to be, subversive of government and order, or calculated to stir up discontent, without adequate objects to vindicate the active attention of the public, they would be bound in conscience and in law to convict them; but if, on the other hand, their conduct appeared to be vindicated by public danger or necessity, directed to legal objects of reformation, and animated by a laudable zeal for the honour and prosperity of the nation; then no departure from accustomed forms in the manner of assembling, nor any incorrect expressions in the description of their object, would bind, or even justify, a Jury to convict them as libellers of the government, or disturbers of the peace.

To constitute a legal charge of either of these offences, the Crown (as I before observed) must aver the criminal intention, which is the essence of every crime; and these averments must be either proved at the trial, or, if to be inferred, *prima facie* from the facts themselves, may be rebutted by evidence of the Defendant's innocent purposes. If the criminal intent charged by the information be not established to the satisfaction of the Jury, the information, which charges it, is not true; and they are bound to say so by a verdict of acquittal.

I am therefore of opinion (in answer to the first question), that the Defendants are liable to be prosecuted by information; but that the success of such prosecution ought to depend upon the opinion which the people of Ireland, forming a Jury, shall entertain of their intention in summoning the meeting, and the real *bona fide* objects of the assembly when met.

It is unnecessary to enlarge upon these principles, because their notoriety has no doubt suggested this novel attempt to proceed by attachment, where they have no place; and I cannot help remarking, that the prosecutor (if his prosecution be founded in policy or justice) has acted with great indiscretion, by shewing that he is afraid to trust the people with that decision upon it, which belongs to them by the Constitution; and, which they are more likely to give with impartial justice, than the judges whom he desires to decide upon it at the expence of their oaths and of the law.

This is a strong expression, which, perhaps, I should not have used in answering the same case in the ordinary course of business; but writing to you as a gentleman, I have no scruple in saying, that the Judges of the Court of King's Bench cannot entertain a jurisdiction by attachment over the matter contained in the affidavit which you have sent me, without such a gross usurpation and abuse of power, as would make me think it my duty, were I a Member of the Irish Parliament, to call them to account for it by impeachment.

The rights of the superior Courts to proceed by attachment, and the limitations imposed upon that right, are established upon principles too plain to be misunderstood.—Every Court must have power to enforce its own process, and to vindicate contempts of its authority; otherwise the Laws would be despised, and this obvious necessity at once produces and limits the process of attachment.—Wherever any act is done by a Court which the subject is bound to obey, obedience may

be enforced, and disobedience punished, by that summary proceeding. Upon this principle attachments issue against officers for contempts in not obeying the process of Courts directed to them, as the ministerial servants of the Law, and the parties on whom such process is served, may, in like manner, be attached for disobedience.

Many other cases might be put, in which it is a legal proceeding, since every act which goes directly to frustrate the mandates of a Court of Justice, is a contempt of its authority. But I may venture to lay down this distinct and absolute limitation of such process, viz.—That it can only issue in cases where the Court, which issues it, has awarded some process, given some judgment, made some legal order, or done some act, which the party against whom it issues, or others on whom it is binding, have either neglected to obey, contumaciously refused to submit to; excited others to defeat by artifice or force, or treated with terms of contumely and disrespect.

But no crime, however enormous, even open treason and rebellion, which carries with them a contempt of all Law, and the authority of all Courts, can possibly be considered as a contempt of any particular Court, so as to be punishable by attachment, unless the act, which is the object of that punishment, be in direct violation or obstruction of something previously done by the Court which issues it, and which the party attached was bound, by some antecedent proceeding of it, to make the rule of his conduct. A constructive extension of contempt beyond the limits of this plain principle would evidently involve every misdemeanor, and deprive the subject of the Trial by Jury, in all cases where the punishment does not extend to touch his life.

The peculiar excellence of the English Government consists in the right of being judged by the country in every criminal case, and not by fixed Magistrates appointed by the crown. In the higher order of crimes the people alone can accuse, and without their leave, distinctly expressed by an indictment found before them, no man can be capitally arraigned; and in all the lesser misdemeanors, which either the crown, or individuals borrowing its authority, may prosecute, the safety of individuals and the public freedom absolutely depend upon the well-known *immemorial right* of every Defendant to throw himself upon his country for deliverance by the general plea of—Not Guilty. By that plea, which in no such case can be demurred to by the Crown, or questioned by its Judges, the whole charge comes before the Jury on the general issue, who have a jurisdiction co-extensive with the accusation, the exercise of which, in every instance, the authority of the Court can neither limit, supersede, controul, or punish.

Whenever this ceases to be the law of England, the English Constitution is at an end, and its period in Ireland is arrived already, if the Court of King's Bench can convert every crime, by construction, into a contempt of its authority, in order to punish by attachment.

By this proceeding the party offended is the Judge; creates the offence without any previous promulgation; avoids the doubtful and tedious ceremony of proof, by forcing the Defendant to accuse himself; and inflicts an arbitrary punishment, which, if not submitted to and reverenced by the nation as law, is to be the parent of new contempts, to be punished like the former.

As I live in England, I leave it to the Parliament and People of Ireland to consider what is their duty, if such authority is assumed and exercised by their Judges: if it ever happens in this country, I shall give my opinion. It is sufficient for me to have given you my judgment as a lawyer upon both your questions; yet, as topics of policy can never be misplaced when Magistrates are to exercise a discretionary authority, I cannot help concluding with an observation, which both the Crown and its Courts would do well to attend to upon every occasion.

The great objects of criminal justice are reformation and example; but neither of them are to be produced by punishments which the laws will not warrant: on the contrary, they convert the offender into a suffering patriot; and that crime which would have been abhorred for its malignity, and the contagion of which would have been extinguished by a legal prosecution, unites an injured nation under the banners of the criminal, to protect the great rights of the community, which in his person have been endangered.

These, Sir, are my sentiments, and you may make what use of them you please. I am a zealous friend to a Reform of the Representation of the People in the Parliaments of both Kingdoms, and a sincere

admirer of that spirit and perseverance which, in these days, when every important consideration is swallowed up in luxury and corruption, has so eminently distinguished the people of your country. The interests of both nations are in my opinion the same; and I sincerely hope that neither ill-timed severity on the part of Government, nor precipitate measures on the part of the People of Ireland, may disturb that harmony between the remaining parts of the Empire, which ought to be held more sacred, from a reflection on what has been lost.—I have the honour to be, Sir, &c. T. ERSKINE.

OFFICIAL PAPERS.

NOTES *of the French Official Paper, the* MONITEUR, *upon the* DEBATES *in the House of Lords on the Motion of Thanks to Lord Wellington.* — *(Continued from p.* 640.*)*

Had the war in Spain been differently managed, with the forces which were there, Spain would long since have been reduced to submission, and Lord Wellington would long since have been driven into the sea. One shrugs one's shoulders at observing how regardless of truth the English orators are, in their speeches, and what little knowledge they suppose in the members who listen to them.

Marquis Wellesley.—"I wish to see a "vigorous Executive founded upon and "co-operating with an assembly of the "Cortes."

Moniteur.—Assemblies of the Cortes! We entreat Lord Wellesley to inform us where they are to be held. Is it at Cordova, Seville, the Isle of Leon, or in the Canaries?

Marquis Wellesley.—"We have adopted "a line of conduct more generous and "more politic."

Moniteur.—France wishes you would persist in that excellent policy. It will give her the means of conquering India and the freedom of the seas in the plains of Spain. There is a wide difference between fine praises and puffs, and the calculations of policy.

[Upon his statement respecting the numbers and discipline of the Portuguese army, the Moniteur says:—]

Thus, then, the English pretend to defend Portugal. The English Ministers will, doubtless, revert to more prudent measures. Lord Wellesley is a bad prophet. He wants a meeting of the Cortes; and at the moment he speaks, the French are masters of Seville and Andalusia. He wishes to defend Portugal; his brother will give him better advice, and will adopt the plan of nobly embarking in his transports. The Admiral, more prudent, has prepared a great number for his reception.

MARRIAGE OF THE EMPEROR NAPOLEON WITH THE ARCHDUCHESS MARIA LOUISA.

Vienna, March 11.—This day, at six o'clock in the evening, the marriage of the Emperor Napoleon, with the Archduchess Maria Louisa, was celebrated in the Church of the Augustins. The French Ambassador Extraordinary, the Prince of Neufchatel, proceeded with three of the Court carriages and six, to the Palace where the Archduke Charles was in waiting. That Prince and the other Archdukes conducted him to the Emperor, with whom was the Empress and the Archduchess. Their Majesties then passed into the grand apartments, where were assembled the Ladies and the Nobles of the Court, and from thence to the church of St. Augustins.—The ceremony was performed with much pomp. Te Deum was sung, and discharges of artillery announced the moment of the nuptial benediction. On returning to the Palace, the Archduchess Maria Louisa, now Empress, was conducted by the Prince of Neufchatel. She was placed under a canopy surrounded by her Ladies and Officers, and then received a letter from the Emperor Napoleon, which the Count de Bearn, Chamberlain to his Majesty, had the honour to present to her.—The Prince of Neufchatel then advanced to salute the new Empress, and to be admitted to the honour of kissing her hand. General Count Lauriston, Count Alexander de Laborde, Secretary of the Embassy, and the Gentlemen of the Embassy, were then presented, whom her majesty kindly received, and admitted to the honour of kissing her hand.—Count Otto immediately afterwards presented the Ladies and Officers of the Court.—The procession to the Church of St. Augustins was extremely splendid. The covered galleries, through which the procession passed, were very brilliantly illuminated. The Nobility went first, next the Great Officers of the Crown, then the Ministers, the French Ambassador Extraordinary, the Archdukes, the Emperor and Empress, the Archduchess Maria Louisa, with the Ladies of the Pa-

lace.—The church was ornamented with the richest tapestry, and illuminated with great magnificence. The Ladies received at Court were placed on seats to the right and left. Benches were placed for the other classes. The Archbishop with several Bishops, and his Clergy, preceded the Emperor. His Majesty placed himself under a canopy on the right of the altar. The Empress, who led the Archduchess Maria Louisa by the hand, giving her the right, conducted her to a pew prepared in front of the altar, and then took her seat, under a canopy, to the left of the Emperor. The Archdukes were in a pew to the right of the throne. On the left were the officers of the Emperor and Empress. The Archduke Charles was in a pew to the left of the Empress. On the right of this pew was placed the Prince of Neufchatel, having a chair and a pew similar to those of the Archdukes.

The following are the details of the ceremony of the 7th of March:—

"The 7th of March was the day fixed for the solemn demand. At six in the evening the French Ambassador proceeded to Court with great ceremony, and was received in the same manner as on a day of audience. Having arrived near his Majesty's Throne, he delivered a speech, and demanded in the name of his Majesty, the Emperor Napoleon, the hand of her Imperial Highness the Archduchess Maria Louisa.—The Emperor, as chief of his house, having given an answer, and the Grand Chamberlain having been sent to conduct the Archduchess Maria Louisa, her Imperial Highness entered accompanied by the Grand Mistress and Grand Master of her Court, and having approached his Majesty with a profound reverence, she was placed to the left of the Emperor.—The Ambassador then presented to her Imperial Highness the letter and the portrait of the Emperor of the French. Her Imperial Highness having formally consented to the demand made of her, placed the portrait on her bosom. The Ambassador then, conducted by the Commissioner of Audience, and preceded by the whole of his suite, proceeded to an audience of the Empress, and then to the apartment prepared for the purpose for his Imperial Highness the Archduke Charles, to whom the Ambassador communicated the desire of the Emperor of the French that his Imperial Highness would represent his person in the solemnity of the marriage.—Having then presented to his Imperial Highness his full powers, he retired to his hotel, accompanied in the same manner as before. At seven in the evening there was a grand assembly and gala at Court, at which the Ambassador and Count Otto were present.

Speech of the French Ambassador Extraordinary.

"Sire; I come in the name of the Emperor, my master, to demand of you the hand of the Archduchess Maria Louisa, your illustrious daughter. The eminent qualities which distinguish that Princess, have assigned her a place upon a great Throne.—She will contribute to the happiness of a great people and of a great man.—The policy of my Sovereign is in unison with the wishes of his heart.—This union of two powerful families, Sire, will give to two generous nations new assurances of tranquillity and happiness."

Answer of the Emperor.

"I regard the demand in marriage of my daughter as a pledge of the sentiments of the Emperor of the French, which I justly appreciate.—My wishes for the happiness of the future marriage cannot be expressed with too much truth; it will be mine.—I shall find in the friendship of the Prince, whom you represent, excellent motives of consolation for the separation of my dear child; our people will see the assured pledge of their mutual welfare.—I grant the hand of my daughter to the Emperor of the French."

Speech of the French Ambassador Extraordinary to her Imperial Highness the Archduchess Maria Louisa.

"Madame;—Your august father has fulfilled the wishes of the Emperor, my master. — Political considerations may have influenced the determination of both Sovereigns, but the first consideration is that of your happiness. It is above all your consent, Madame, that the Emperor, my master, wishes to obtain.—It will be delightful to see united on a great throne to the genius of power those beauties and graces which are so dearly loved.—This day, Madame, will be a happy one for the Emperor, my master, if your Imperial Highness orders me to inform him that you participate in the hopes, the wishes, and the sentiments of his heart."

Answer of her Imperial Highness the Archduchess Maria Louisa.

"The will of my father has constantly been mine, my happiness will always be involved in his.—It is in these principles that the Emperor Napoleon cannot fail to find a pledge of the sentiments which will actuate my conduct towards my husband; happy if I can contribute to his happiness and to that of a great nation. I give, with the permission of my father, my consent to my union with the Emperor Napoleon."

Speech of the French Ambassador Extraordinary to the Empress.

"Madame;—The Emperor, my master, has specially charged me to testify to your Imperial Majesty, all those sentiments with which he is penetrated towards you.—He deeply feels the obligation which he owes to you for the good example, and the care which the Archduchess Maria Louisa has received from you.—He cannot conceive a better model for the union of the Majesty of the Throne with amiability, and the gracious qualities which your Imperial Majesty possesses in so eminent a degree."

Answer of the Empress.

"It is in the moment so interesting to my heart, in which the destiny of my dear daughter is fixed for ever, that I am charmed at receiving from your Serene Highness the assurance of the sentiments of the Emperor and King. Habituated upon all occasions to conform my wishes, and my opinions to those of the Emperor, my dearly beloved husband, I unite with him in the confidence with which he looks to the results promised by so happy an union, as well as in the most ardent wishes for the future and unalterable happiness of our very dear daughter, which will henceforth only depend on that of his Majesty the Emperor and King.—Feeling sensibly the opinion, much too favourable, which his Majesty the Emperor and King has conceived of me, I can only attribute it to the excellent natural disposition of my dear daughter, and the mildness of her character. I will answer for her, that her only objects will be to contribute to the happiness of his Majesty the Emperor and King, and to conciliate at the same time the love of the French nation."

Speech of the French Embassador Extraordinary, to his Imperial Highness the Archduke Charles.

"Monseigneur;—The Emperor, my master, having obtained from the Emperor, your illustrious Brother, the hand of the Archduchess Maria Louisa, has charged me to express to your Imperial Highness the value which he sets upon it by his wish that you would accept his procuration for the marriage ceremony.—If your Imperial Highness gives your consent, I have the honour to present to you the procuration of my Master."

Answer of the Archduke Charles.

"I accept with pleasure, my Prince, the proposition which his Majesty the Emperor of the French has through you transmitted to me. Equally flattered by his choice, as penetrated with the delightful presentiment that this alliance will efface every trace of political dissension, repair the evils of war, and produce a future happiness to two nations, who are formed to esteem each other, and who will render each other reciprocal justice.—I shall reckon amongst the most interesting moments of my life, that when in token of a reconciliation as frank as faithful, I shall present the hand of the Archduchess Maria Louisa to the Delegate of the Great Monarch whom you represent; and I pray you, my Prince, to publish to all France my ardent wishes that the virtues of the Archduchess may cement for ever the friendship of our Sovereigns, and the happiness of their people."

The Ambassador then presented the Archduke with full powers, after which the Archduke conducted him to the apartment of his Majesty, where all the Imperial family were assembled, to proceed to a Grand Court Gala. The circle was numerous and brilliant, and the Archduchess, decorated with Napoleon's portrait, attracted every eye.

Ceremony observed upon the Empress quitting the Austrian territory, and being delivered over to the French Commissioners.

Braunau, March 18.—The Empress, who had arrived at Ried on the 15th, set out on the 16th at eight in the morning, and arrived about eleven at Altheim, where she stopped to change her dress. An hour afterwards she again set out, followed by the whole procession, and arrived at

two at the place destined for her reception.—Near the village of St. Pierre, and at one league beyond Braunau, a building had been constructed, divided into three large saloons, having two entrances, one on the side of Braunau and the other on that of Altheim. It had been carefully furnished and warmed with stoves. The saloon in the middle was ornamented by a canopy below, which was placed upon an elevation, an arm chair of cloth of gold destined for her Majesty. To the left of the canopy and towards the entrance on the side of Braunau, was placed a large table covered with velvet, and destined for the signatures of the Plenipotentiaries. A court had been marked out on both sides to contain the carriages of the double procession. Avenues planted with trees abutted on the two lateral saloons.—At half past one, the Prince of Neufchatel and all the persons forming part of the procession, destined to accompany the Empress, proceeded into the first saloon, the men in full costume and the ladies in court dresses. About two the Empress arrived with all her suite, and alighted in the saloon on the side of Altheim. After resting for a moment, her Majesty was introduced by the Austrian Master of the Ceremonies into the grand saloon, where she placed herself in the chair prepared for her. Around her were ranged the Ladies and Chamberlains of her suite, the Grand Mistress and Grand Master occupying the first places on the side of the elevation. The Prince of Trautmansdorff, appointed Commissioner to make the Delivery, placed himself fronting the table, and behind him the Aulic Counsellor, Hudelitz, executing the office of Secretary of the Delivery. The bottom and two sides of the hall were occupied by twelve noble Hungarian guards, and as many German guards under arms and in full uniform. As soon as all were thus arranged, the Austrian Master of the Ceremonies, the Baron de Lohr, tapped at the door of the saloon, in which were the Prince of Neufchatel and the French Court, and the French Master of the Ceremonies, the Count de Seyssel, came forth. He then introduced the Prince of Neufchatel, the Commissioner of the Emperor of the French, who entered, followed by the Count de Laborde, executing the office of Secretary of the Delivery. After them came the Duchess of Montebello, Lady of Honour, the Count de Beauharnais, Chevalier of Honour, and all the Ladies and Chevaliers sent to attend the Empress, who ranged themselves at the bottom of the saloon, opposite the Austrian procession. The Prince of Neufchatel then advanced towards her Majesty, and stated in few words the object for which they were assembled in that place. Immediately afterwards the two Commissioners complimented each other and passed to the table where were the Acts of Delivery and Reception. The Counsellor, Hudelitz, read in a loud voice the powers of the Prince of Trautmansdorff and his own. The Count de Laborde also read those of the Prince of Neufchatel and his own. The Secretaries delivered the papers to the two Commissioners, who exchanged them. They passed then to the Act of Delivery, which was read by the Counsellor, Hudelitz, and that of Reception, by M. de Laborde. The two Commissioners and their respective Secretaries signed the two Acts, and having affixed to them the seals of their arms, exchanged them. These formalities being finished, the Prince of Trautmansdorff, Commissioner of the Emperor of Austria, advanced bowing towards the Empress, and requested permission to kiss her hand on taking leave.—Her Majesty granted this permission to him, and also to all the Chevaliers and Ladies of her suite who had attended her from Vienna. Each according to their rank approached her Majesty, and kissed her hand with an emotion produced by their bidding a last adieu to a dear Princess. It is difficult to imagine a ceremony more noble or more affecting. Her Majesty could not refrain from tears, at these last marks of respect and attachment from the old servants of her house, and the French who witnessed the scene partook of the general emotion. During this ceremony the Austrian and French Secretaries took an account of the jewels of the Empress, and exchanged an inventory.—The whole procession having resumed their places, the Austrian Commissioner presented his hand to the Empress to conduct her to the French Commissioner, who taking her Majesty's hand, advanced towards the French Court, and named the different persons composing it. At this moment the door of the first saloon opened, and the Queen of Naples, who had arrived during the ceremony, advanced towards the Empress, who embraced her with tenderness and conversed for some time with her. The Archduke Anthony was then announced, whom the Emperor of Austria

had sent to compliment the Queen of Naples, and who was to return immediately with news of the Empress. After the Queen had received and thanked him, the two Princesses got into a carriage, and, followed by the Prince of Neufchatel and their suite, proceeded to Braunau. The sides of the road were lined with troops, and cannon resounded on all sides.

Paris, March 31.—Their Imperial Majesties did not set out from Compiegne until eleven o'clock yesterday. The Prefects of the Departments of the Oise, the Seine and Oise, and the Seine, repaired, each attended by a splendid setinue, to the verge of their respective departments, to receive their Majesties. The whole of the road from Compiegne to St. Cloud was crowded with spectators. Triumphal arches were erected in a number of villages. Their Majesties passed near St. Denis, at five o'clock yesterday afternoon, on their way to St. Cloud, with the greatest rapidity.—The concourse of spectators to Compiegne, to witness the reception of the Empress, was prodigious. Not only the inns, but the warehouses and barns, were filled with lodgers. The town of Compiegne was illuminated in the most brilliant style.

The Count de Segur, Grand Master of the Ceremonies, has issued the following Notice:—

"The Civil Marriage of his Majesty the Emperor and King will take place on the 1st of April, at the Palace of St. Cloud; the Public Entry, and the Religious Marriage Ceremony will take place on the 2nd. Persons having tickets of admission for the gallery of the Louvre are informed, that the doors will be opened at nine o'clock, and shut in less than an hour. They will not be opened again, except to the authorities following the suite of their Majesties."

The Count has also issued the following

Programme relative to the Civil Marriage.

At one o'clock on the day fixed for the Civil Marriage, all those who are to compose the train of their Majesties will assemble in the Palace of St. Cloud, viz. those in the service of the Empress in the saloons of her apartment, on the side of the garden, and those in the service of the Emperor in the saloons of his apartment, next to that of the Empress, on the side of the Court.—At noon the Masters of the Ceremonies and their assistants will assemble in the gallery, which till that hour will be shut, and assign their proper stations to the persons invited. Behind the estrade will be stationed the Officers of the Emperor's Household, and of those of the Princes and Princesses not on duty.—The space to the right and left of the estrade will be divided into compartments, and appropriated to the Ladies in the services of the Princesses, the Ladies of the Ministers and Grand Officers of the Empire, to the Ladies that have been invited, Foreign Ambassadors and Ministers, the Ministers, the Grand Officers of the Empire, the Grand Eagles of the Legion of Honour, the Senators, the Counsellors of State, and the Courtiers that have been invited.—Such of the persons invited as cannot find accommodation in the gallery, will remain in the Saloon of Mars and the grand apartments of the Emperor, to see the procession.

At the bottom of the gallery, will be placed on an estrade, two arm chairs surmounted with a canopy: that on the right being for the Emperor, and the other on the left for the Empress. At the foot of the estrade, and to one side of it, will be a table covered with rich tapestry, and with an ink-stand and the registers of the Civil State placed thereon.—At two o'clock, those who are to compose the procession being assembled as above stated, in their Majesties' apartments, the Grand Master of the Ceremonies, the Colonel-General of the Guard on duty, the Grand Officers of the Crown of France and Italy, will go in quest of their Majesties. The procession will move in the following order, on its way to the gallery, passing through the Emperor's Cabinet, the saloon of the Princes, the Presence Chamber, and the Saloon of Mars. The Vergers, Heralds, Pages, Assistant Masters of the Ceremonies, Officers of the Household to the King of Italy, the Emperor's Equerries in Ordinary, the Chamberlains in Ordinary, the Emperor's Aides-de-Camp, the two Equerries in attendance for the day, the Aide-de-Camp on duty, the Governor of the Palace, the Secretary of State for the Imperial Family, the Grand Officers of the Crown of Italy, the Grand Chamberlain of France, and that of Italy, the Princes Grand Dignitaries, the Princes of the Blood, the Emperor and Empress.—Behind their Majesties, the Colonel-General of the Guard on service, the Grand Marshal of the Palace, the Grand Master of the Household of Italy, the Grand Almoners of France and Italy; the Knight of Honour and Equerry to the Empress, carrying the train of her mantle; the maids of

Honour of France and Italy, and the Robing Women; the Princesses of the Blood, the Ladies of the Palace, the Maids of Honour to the Princesses, the Officers of the Households of the Princes and Princesses in attendance.—All will be uncovered. The procession having reached the gallery, the heralds and pages will branch off half to the right, and half to the left, in the Saloon of Mars, close to the entrance.—The Officers and Grand Officers of France and Italy, the Maids of Honour, and the Robing Women, will proceed to take their station according to their rank, behind their Majesties' chairs.—Their Imperial Majesties will take their seats on the throne; the Princes and Princesses to the right and left of the estrade, in the following order, and according to their relation of blood:—

"To the right of the Emperor, Madame; Prince Louis Napoleon, King of Holland; Prince Jerome Napoleon, King of Westphalia; Prince Borghese, Duke of Guastalla; Prince Joachim Napoleon, King of Naples; Prince Eugene, Viceroy of Italy, the Prince Arch-Chancellor; the Prince Vice-Grand Elector.—To the left of the Empress, the Princess Julia, Queen of Spain; the Princess Hortensia, Queen of Holland; the Princess Catherine, Queen of Westphalia; the Princess Eliza, Grand Duchess of Tuscany; the Princess Pawlina; the Princess Caroline, Queen of Naples; the Grand Duke of Wurtzburgk; the Princess Augusta, Vice-Queen of Italy; the Princess Stephante, Hereditary Grand Duchess of Baden; the Hereditary Grand Duke of Baden; the Prince Arch-Treasurer; the Prince Vice-Constable.—The Secretary of State to the Imperial family will take his seat at the table. The first bench will be reserved for the Ladies of the Palace. The Grand Master of the Ceremonies; the Masters and Assistants of the Ceremonies, to the right and left front of the throne. On the arrival of their Majesties, all the Ladies will rise up, and continue standing until the end of the ceremony.—The Emperor being seated, the Grand Master of the Ceremonies will take his Majesty's orders, and proceed to request his Highness the Prince Arch-Chancellor of the Empire to go up to the Emperor's chair. One of the Masters of the Ceremonies will at the same time give notice to the Secretary of State for the Imperial family, who will approach the Prince Arch-Chancellor, and make his obeisance to their Majesties.

"His Highness the Prince Arch-Chancellor, having bowed to their Majesties, will say—'In the name of the Emperor '(at these words their Majesties will stand 'up)—Sire, does your Imperial and Royal 'Majesty declare that you take in marriage her Imperial and Royal Highness 'Maria Louisa, Archduchess of Austria, 'here present?' The Emperor will answer—'I declare that I take in marriage 'her Imperial and Royal Highness Maria 'Louisa, Archduchess of Austria, here 'present.'—He will then put the question to her Imperial and Royal Highness the Archduchess of Austria, in these terms:—'Does her Imperial and Royal Highness 'Maria Louisa, Archduchess of Austria, 'declare that she takes in marriage his 'Majesty the Emperor and King Napo'leon, here present?' Her Imperial and Royal Highness will answer—'I declare 'that I take in marriage his Majesty the 'Emperor and King Napoleon here pre'sent.' The Prince Arch-Chancellor will then pronounce the marriage in these terms:—'In the name of the Emperor 'and the Law, I declare that his Imperial 'and Royal Majesty Napoleon, Emperor 'of the French, King of Italy, and her 'Imperial and Royal Highness the Arch'Duchess Maria Louisa, are united in mar'riage.'—Then the Masters and Assistants of the Ceremonies will carry the table, on which are the registers of the civil state, up to the chairs of the Emperor and Empress, and return to their places. The signing of the Act of Marriage will take place in the following manner:—

"The Secretary of State to the Imperial Family will present the pen to the Emperor, and then to the Empress. Their Majesties will sign it sitting, and without quitting their places. The Princes and Princesses will approach the table, receive the pen from the hands of the Secretary and subscribe their names, previously bowing to the Emperor and Empress. They will subscribe in the order settled by the ceremonial.—The Act being concluded with the signatures of the Prince, Arch-Chancellor, and the Secretary, the Masters and Assistants of the Ceremonies, after making a profound reverence to the Emperor and Empress, will remove the table which had been placed before their Majesties. *(To be continued.)*

Published by R. BAGSHAW, Brydges-Street, Covent-Garden:—Sold also by J. BUDD, Pall-Mall,
LONDON:—Printed by T. C. Hansard, Peterborough-Court, Fleet-Street.

COBBETT'S WEEKLY POLITICAL REGISTER.

VOL. XVII. No. 18.] LONDON, SATURDAY, MAY 5, 1810. [Price 1s.

" Many public Officers and Accountants have raised *great Estates* to themselves, at the expence of " the Public, when it is evident they have had no lawful means to attain them: and several persons, " whose duty it was to *hinder* such exorbitancies, measuring their requests rather by their own avarice " than by their merit, have obtained for themselves Grants to such a value, as in foregoing Reigns have " been esteemed large Supplies towards great and public services: which has been another great cause " of the *Debt* that lies upon the nation. This general mismanagement of the public affairs did actually " spread itself over the whole kingdom, and seems to be owing to a disposition of Offices and Places, " where men were rather chosen *for their inclinations to serve a Party*, than for their *qualifications to* " *serve the Public*. And these men being conscious to themselves of the *many Frauds and Offences* " *committed against the Public, have no other hopes to shelter themselves from Justice*, THAN BY " TAKING AWAY THE REPUTATION OF THOSE WHO DESIRE TO DO RIGHT TO THEIR " COUNTRY BY DETECTING THEIR INIQUITIES; and being UNITED IN GUILT AND IN- " TEREST, they endeavour to *amuse* and *impose upon* those, whose posterity, we have too much reason " to fear, will *groan under* the sad effects of the wickedness of the one, and the too great credulity " of the other. We chearfully depend upon your Majesty's wisdom, that all our Grievances, by your " grace and favour, will, in due time, be redressed and removed, by PUNISHING those, who have been " the cause of them, and by entrusting none in the administration of public affairs, who, for their own " private advantage, have manifestly contributed to the calamity of their Country."——ADDRESS OF THE HOUSE OF COMMONS TO QUEEN ANNE, in 1702.

SUMMARY OF POLITICS.

MIDDLESEX MEETING.——When Mr. Lyttleton and others were engaged in the famous act of disclaiming, or, in the language of Scripture, *denying*, SIR FRANCIS BURDETT, on the alledged ground of his "*unwarrantable resistance*," and his *Letter to the Speaker* of the Honourable House, they did not, I dare say, anticipate, that the decision of *the people*, upon those points, would be what it has since been manifested to be. However this may have been, it is now very clear, that Sir Francis did act not only the patriotic but the *prudent* part. On the memorable *Saturday* when the warrant was to have been executed, and when troops were waited for, in order to insure its execution, I received a letter, drily telling me, that the vote of commitment had been carried, and that Sir Francis was "*gone* to the Tower."—I was astonished. I was chagrined. I was in a state of mortification not to be described. —"What!" exclaimed I, "*gone to the* " *Tower*, and as quietly as a pickpocket to " Bridewell, or to the custody of *Governor* " *Aris!* GONE to the Tower; and that " *all?*"——How was I relieved; what was my pleasure, upon hearing, on the Sunday morning, that he was still in his house; still in the "Englishman's *castle*," and that it would require the *last move*; the playing of *the trumps*; to get him to a prison.——It was, however, this very thing that stirred the gall of the *Whigs*; that rummaged up the bitterness from the bottom of their stomachs; that enraged them to that degree, which the nation have since witnessed.——The letter to the Speaker I had not anticipated; but, who will now say, that, without that letter, the thing, on the part of Sir Francis, would have been complete? It is evident, that it would not have been complete. It is now clear to every one, that, without that Letter, there would have been a shew, and a *boast*, of victory, on the part of our enemies.——But, the *protracted resistance* was the main thing. It was that which brought out *the trumps*. As long as possible the trumps were held back; and, if they could have been held back altogether; if Sir Francis, (to oblige the Whigs) had gone off quietly like a pickpocket, the trumps would not have been played. They would have remained at Canterbury and Croydon and Ryegate and Epsom and Guildford and Farnham and Winchester and Newbery and Reading and St. Albans and Hertford and Cambridge and Bagshot and Hounslow Heath occupied in their usual business of *defending the country against Buonaparté*; if this had been the case, the Whigs would have been highly delighted. This is precisely what would have suited them and their schemes of ambition. But, thanks to the firmness and the foresight of Sir Francis, this was not the case: the trumps were called forth and played, to the last card; and of this the whole nation have been witnesses.——I shall now insert the RESOLUTIONS, which were passed at the

MIDDLESEX MEETING, and, in which I am very glad to perceive, that both these acts, so bitterly complained of by the Whigs, are decidedly *approved of*.

"AT a numerous and respectable Meeting of the Freeholders of the County of "Middlesex, held at the Mermaid, Hackney, on Thursday, the 26th day of "April, 1810, pursuant to a Requisition, "the following Resolutions were entered into:—

"Resolved, That the Petition now read "be adopted, and that it be presented to "the House of Commons by our Representatives, George Byng and William "Mellish, Esqrs. who are hereby instructed to support the same.

"That we highly approve of the proceedings of the Electors of Westminster, "at their late Meeting, and most heartily "concur in the sentiments contained in "their Letter to Sir Francis Burdett, and "in his Answer.

"That the Thanks of this Meeting are "due, and are hereby given, to Sir Francis "Burdett, bart. for his truly patriotic conduct in Parliament, for his unanswered "and unanswerable Argument in the case "of John Gale Jones, vindicating the "rights of the subject, and denying the "power of the House of Commons to imprison without trial, and during pleasure, the people of England; *for his "Letter to the Speaker*, protesting against "the power of the House of Commons to "imprison in like manner one of their "Members, for laying before his Constituents a faithful account of his conduct "in Parliament; and for his *constitutional "resistance to the Speaker's warrant, whereby "he has given a practical illustration of its "inefficiency, and has shewn that it could not "be put in force without military aid*, a violation of our ancient Laws, and a breach "of the privileges of Englishmen.

"That these Resolutions be fairly transcribed and presented to Sir Francis "Burdett by the Sheriffs, accompanied "by George Byng and William Mellish, esqrs. our Representatives.

"That the Address to Sir Francis Burdett which has been read be adopted as "the act of this Meeting.

"That the thanks of this Meeting be "given to George Byng, esq. one of our "Representatives, for his general conduct "in Parliament.

"That the thanks of this Meeting be "be given to the Sheriffs, for their readiness in calling this meeting, and for "their judicious and impartial conduct in "the Chair.

"That these Resolutions be advertised.

MW. WOOD, } Sheriffs."
JNO. ATKINS, }

The ADDRESS, mentioned in these Resolutions, I shall now insert, first, however, expressing my unfeigned satisfaction at seeing, that the author of it was the venerable and venerated MAJOR CARTWRIGHT, who out of more, I believe, than *seventy years* of life, has spent more than *forty* in the cause of *Parliamentary Reform*. It is quite delightful to see such a composition coming from a man, whose brow is literally furrowed with wrinkles, and whose body appears to be of no use except to contain his soul. Of all the men, that I ever knew, Major Cartwright is the most persevering, the most resolute, and, at the same time, the most mild in his manners. At least, never did I know any one to exceed him in any of these qualities. I believe, that he has never published any thing, of which he has not sent a copy to the King and to each of his Ministers. He is a true loyalist and a true royalist. He has read, studied, and imbibed the whole of the principles of the Constitution of England; and, all who know him are pretty well convinced, that, rather than yield, rather than make a surrender of one particle of those principles, he would suffer himself to be burnt alive. Many and many have been the occasions, when he has offered Resolutions to public meetings, containing the principles of this Address; and, alas! many and many have been the occasions, when those Resolutions have been, at best, coldly received. At last, perseverance and patience have brought him to the day, when men see the necessity of acting upon his principles, or of, at once, yielding all pretensions to English freedom.——The sentiments of this Address must have been very pleasing to Sir Francis, and this pleasure must have been encreased, greatly encreased, by the reflection, that they proceeded from the pen of such a man as Major Cartwright, a gentleman of learning, of independent fortune, of ancient family, and what is more than all these, of perfectly spotless life; a man having a mind which it is impossible to bewilder, and a heart of such integrity that nothing can shake. For myself, I can truly say, that I never read any thing with more satisfaction than this Address; and such I am confident, will be the feelings of all

those, who, with minds unprejudiced, shall read it.

"TO SIR FRANCIS BURDETT, BART.

"A PRISONER IN THE TOWER.

"*The Address of the Freeholders of Middlesex, in full County assembled.*

"SIR; With the name of Hampden, "consecrated to the eternal gratitude and "veneration of Englishmen, for having "resisted the illegal exercise of power by "a King, the present and future ages will "couple the name of Burdett, for having "resisted an illegal exercise of power by "a House of Commons.—To you we are "indebted for having caused discussions "which have done honour to our age and "nation; but such a variety of princi-"ples have been shaken in the strange "proceedings against you, that the ex-"tent of our obligations to you, first, for "your constitutional doctrine, and then "for your resisting the violators of our "Constitution, cannot as yet be estimated. "We trust the obligations will prove be-"yond all estimate; as we trust they "must terminate in a restoration of that "violated Constitution.

"Whatever, Sir, may be the prostitution "within certain walls, whatever may be "the profligate abuse and peculation of "office, we may, however, congratulate "our country, that she has yet able de-"fenders of her rights, who with you "are rallying around our two-fold Con-"stitution: a Constitution that hath not "only a Law, which is "the perfection "of reason:" but whenever that law "may meet with lawless opposers, hath "also "A sword of its own," without "needing to borrow any other, native or "foreign, for the sure and resistless en-"forcement of that law.—Inquiry, Sir, is "now awake, and at work, Reason, found-"ing itself on constitutional principle, "hath now to decide, whether, for either "keeping the peace, or for enforcing any "process of English Law, recourse ought "to be ultimately had to the County "Power, or to the Standing Army: that "is, shall the peace and the law of Eng-"land, be upheld by the Civil Power, or "by a Military Force?—It is, in fact, to "be decided whether Governments (what-"ever be their form, or their current "denomination) are not definable to "be civil governments, or military go-"vernments, that is, free states or despo-"tisms, as they shall ultimately resort, for "execution of their laws, to the civil "power, or to a military force.—The "County Power of England, which has "been aptly called the martial branch "of the Constitution, is yet strictly a civil "power, being composed of free citizens "only; whereas the Standing Army is "wholly a military force, composed of "'soldiers;" who, from the nature of the "military law to which they are subject, "are not free citizens; and according to "Sir W. Jones, "in fact no more than in-"'struments in the hands of their Com-"'manders."—When (as remarked by "Blackstone) 'the laws and Constitution "'of this kingdom know no such state as "'that of a perpetual standing soldier;' "and when (as observed by Sir W. Jones) "the Power of the County includes the "whole civil state, from the duke to the "peasant; while the military state, as "such, forms no part of that power, being "under a different command, and 'sub-"'ject to a different law;' must it not "follow, that the law cannot be carried "into execution by the standing army? "that being an instrument it does not "know an instrument 'under a different "'command,' and 'subject to a different "'law.'—And when Blackstone, con-"curring with numberless writers of the "highest authority, and with every intel-"ligent man's reflection, also remarks, "that 'in a land of liberty it is extremely "'dangerous to make a distinct order of "'the profession of arms:' and likewise "adds 'in absolute monarchies this is "'necessary for the safety of the Prince, "'and arises from the main principle of "'their Constitution, which is that of go-"'verning by fear,' will it be possible, "Sir, any longer to doubt that it is the "design of Ministers to bring us under "an "absolute monarchy," especially "when we shall combine together all "their arts and all their practices to that "end? Do we not hear our English "Government, by Ministers, by Court-"Lawyers, and by all abettors of arbi-"trary power, perpetually called a Mo-"narchy, which is a Government wherein "one man's will is the law! Do we not "hear our King as constantly styled a "Monarch? And ever since the dreadful "riots in 1780, when Sir W. Jones took "occasion to complain that our County "Power 'had been shamefully neglected, "'and ought to be restored, to full vigour "'and energy,' has not that County "Power from that day to this, now thirty

"years, continued in the same shamefully "neglected condition, unorganized, unarmed, untrained? And for what conceivable reason can there have been this "shameful neglect, but that it might be "divested of all power and respect, and "then, as a thing useless and contemptible, be wholly superseded in the quelling of riots? And have we not accordingly seen on all occasions the "Standing Army officiously and ostentatiously called forth on every frivolous "disorder in the streets, as well as uniformly paraded and held in readiness "whenever the people are to have meetings on public affairs, so that the nation, 'governed by fear,' may quietly "yield to "absolute monarchy?"—If, "Sir, we be correct in our conception of "the County Power, it is as old as the "Constitution and Common Law, and vital "to our liberties.—The Standing Army is "a novelty of yesterday; and when not "constitutionally overbalanced by the "County Power, 'in full vigour and energy,' "must be dangerous in the extreme to "public freedom.—A County Power is "the sword in the hand of the nation, regulated by the ordinary law of the land. "Its sole object self-preservation—that is, "the preservation of law and liberty.—"A Standing Army is the sword in the "hand of the Minister; and we have recently seen how prone Ministers are to "find other objects for this sword than "those which should seem to be its only "legitimate ones, namely, offensive war "abroad, and defence of external possessions; because, a species of force which "is a comparative novelty both in principle and practice with our Government, as well as utterly unknown to "'the Laws and Constitution,' never "could have had for its object the defence of our island; which, as already "shewn, was most amply provided for "defence in the original institution of our "Government; since all the County "Powers collectively must mount to far "more than a million of men able to bear "arms, and willing to defend their King, "their Country, and their Constitution. "The conquests of the Standing Army "abroad, ought only to be over our "enemies. Its conquests at home, if it "be to obey the will of Ministers and to "have its operations directed by the analogy of time-serving Lawyers, can only "be over our laws and liberties.—We "would therefore, Sir, gladly know, why "Ministers and Parliament do not, in "obedience to the Constitution, and in "the honest performance of their own "duty, 'restore to full vigour and energy' "the County Power, which, in the very "infancy of its organization by the immortal Alfred, freed England of invaders, who had mastered half the "counties, or converted those invaders "into peaceable and loyal subjects!—"And we would also gladly hear the reasons why Ministers and Parliament, "while neglecting a duty so obvious and "so imperious, spare neither pains nor "expence, an expence paid by the people, for adding to our vast native Standing Army, another numerous Standing "Army of Germans, Sicilians, French, "Portuguese, and other foreign mercenaries; seeing, at the same time, that "France is so strong by land, we cannot "annoy her by offensive war; and so "weak by sea, she cannot even alarm "our external possessions in any part of "the globe!—A County Power, although "the resistless arm of the law, being yet "a free part of a free community, must "know, that to violate law, would be to "violate its own liberty; and must ever "be alive to the feeling, that, to preserve "the common liberty must be the first "and most sacred of its duties.—Concerning a Standing Army, an acute "writer asks, 'Is it not possible, that these "'keepers of ours may come to resemble "'those of a scraglio, and hate the very "'name of liberty, when totally deprived "'of their own?' And 'a Standing "'Army,' it has been remarked, 'ever "'has converted, and ever must convert, "'men into machines. The individuals "'of a Standing Army, when they receive orders, cast away the judgment, "'the moral discretion, and the will of "'rational beings. Obedience with them "'is the law and the prophets; and he "'that gives the order, they think, is the "'only person answerable for it.'—"Should England's liberties survive the "settled establishment of a Standing "Army, she will be the only country on "earth which, in that predicament, ever "remained free. This, as yet unseen "phenomenon, the co-existence of a Standing Army, and Liberty, it doubtless is "in her power to exhibit to the admiring "eyes of mankind; but, it can only be "effected by 'restoring to full vigour and "'energy,' her County Power. That "once done, the Standing Army would

" no longer be an object of fear and jea-
" lousy; but must thenceforth be viewed
" in the amiable light of a body of men
" devoting themselves to the interest and
" glory of their country, in all her foreign
" services.—Ignorant and weak men, im-
" posed on by the crafty and the knavish,
" are taught to believe, that the civil
" power of England is inadequate to the
" quelling of riots. But what says that
" faithful expounder of the law, that
" 'most enlightened of the sons of men,'
" Sir William Jones?—'Having shewn,'
" says he, 'the nature and extent of the
" '*Posse Comitatum*, and proved that it is
" 'required by law to be equal in its
" 'exertion to a well-disciplined army, I
" 'have established the proposition, which
" 'I undertook to demonstrate, that the
" 'common and statute laws of the realm,
" 'in force at this day, give the civil state
" 'in every county a power, which, if it
" 'were perfectly understood and conti-
" 'nually prepared, would effectually
" 'quell any riot or insurrection, without
" 'assistance from the military, and even
" 'without the modern Riot Act.'—And
" one who has carefully trod in the steps
" of Jones, has also shewn that 'an inter-
" 'nal tranquillity which nothing could
" 'disturb, would be another happy effect
" 'of reviving the constitutional system of
" 'our ancestors. An armed power of the
" 'county, every where present, constantly
" 'ready at the call of the magistrate, and
" 'abundantly able to crush all resistance,
" 'must have the effect of preventing tu-
" 'mult, which a standing army can only
" 'quell.'—In 1794, 'while soldiers were
" 'quartered at York, rioters razed to the
" 'ground the houses of Magistrates at
" 'Sheffield; while soldiers were stationed
" 'at Nottingham, rioters set Birmingham
" 'in flames.' This conflagration made a
" feature in the reign of terror, in support
" of the Minister, Pitt; and was effected
" by a rabble of miscreants, bellowing
" 'Church and King,' a similar rabble
" have more recently, in the service
" of another Minister, vociferated 'No
" 'Popery!' and during the Ministry of
" Lord North, while the country was full
" of soldiers, 'the capital was in flames,
" 'and at the mercy of the veriest brutes
" 'that ever bore human shape.' Such
" is the protection of a Standing Army!
" But if it were better, who would pur-
" chase it at the loss of liberty—at a sur-
" render to military despotism! If the
" Standing Army be native, what must
" the men of it feel, when either, on oc-
" casion of petty riots, obeying orders,
" and shooting their countrymen and
" companions—perhaps their fathers and
" brothers, or women and quiet tradesmen
" in their shops, or else, for disobeying
" such orders, be liable to suffer death by
" martial law?—Against the light which
" the brightest luminary of the age had
" beamed in meridian splendour on the
" subject of the County Power, proving
" it to be equally our sure, as our 'legal'
" protection, whether assailed by rioters,
" with their mud, their stones, and their
" torches; or by a Napoleon, with his
" dukes, his kings, and his legions, minis-
" ters, and parliaments, with a perverse-
" ness and obstinacy, which have but
" one explanation, have inflexibly refused
" to their country the benefit of that light,
" or to adopt a 'legal mode of suppress-
" 'ing riots.'—Thirty years long, there-
" fore, have we felt the military rod of
" an evil generation of statesmen, haters
" of light, and truth, and liberty; lovers
" of darkness, deceit, and despotism, who
" in contempt of proof and demonstration,
" have as absurdly as incessantly labour-
" ed to cause it to be believed, that a
" Standing Army are legal keepers of the
" peace, and that Foreign Mercenaries
" are a constitutional and an honourable
" defence!—To your patriotism, we shall
" have been indebted for a discussion of
" these high questions, and all that is col-
" lateral. To your firmness we shall owe
" much, very much, of the benefits to be
" derived from the inquiries which now
" occupy all minds.—We particularly
" thank you, Enlightened Countryman, for
" continuing your resistance to RIGHT the
" point; that is, until your house, in law
" your sacred place of repose, was forced
" by Military Violence. Had you sooner
" submitted, our oppressors would only
" have been guilty, of once more repeat-
" ing the stale and hackneyed illegality
" of keeping the peace by Military force.
" But you have extorted from tyranny a
" manifestation of its latent wickedness.—
" This new stretch of arbitrary power, of
" executing legal process, against an
" Englishman, by military force, is to be
" considered as the Minister's Proclama-
" tion, that we are henceforth to consider
" ourselves as living under a military go-
" vernment, subject to the law of arms,
" and to the dominion of the sword.
" Here, Sir, is ample matter for our con-
" templation! Is this the goal to which

" we have been led by Privilege?—Had " you, Sir, reeled beastly drunk into the " House of Commons, made a scandalous " brawl, and thrown a chair at the head " of the Speaker, it may even be doubted " whether you would have incurred more " than a momentary displeasure, although " the dignity of the assembly might have " required the form of a reprimand.—Or " had you, as a base traitor to the Con- " stitution, even sold its seats by dozens at " noon-day, some are of opinion the pro- " fanation, although it might have shocked " the piety of the Speaker, might have " been passed over even without inquiry " —Why then are you in the Tower?— " Our hearts tell us it is because you are " Sir Francis Burdett—because your pre- " sence is painful to the seat-selling crew " —because to all unprincipled factions " contending for power and pelf you are " a common enemy: one who, equally " regardless of Ins or of Outs, looks nei- " ther to the right hand nor to the left, " but only straight forward to the Con- " stitution and the Liberties of your coun- " try.—Imprisonment, Sir, is not in itself " enviable; but it may be made so. To " you, it is a just cause of exultation. " You triumph. Your enemies only are " degraded. Intending to involve you in " public odium, they accused you of un- " constitutional conduct, of violence, and " of shedding innocent blood. But odium " recoils; the false and feeble accusa- " tion has, by an awful public voice, at " which they tremble, been hurled back " in thunder on themselves, and they are " universally pronounced invaders of the " Constitution, men of violence, men of " blood—endeavouring to lower your re- " putation, they have doubled the public " confidence in your knowledge, your " wisdom, your integrity.—Meaning pu- " nishment, they have conferred reward: " Designing disgrace, they have bestowed " on you the highest honour in their gift " —their own impotent malice! But pa- " nic-stricken; to shun danger they rush " on destruction, they saw not that, in " violating your person, they were pro- " moting your purpose; in forcing you " from your seat, they are forwarding " your work; in the persecution of the " Reformer, they were accelerating Re- " form!—Infatuation thus frustrated all " their counsels, foreign or domestic. " But what then?—It pleaseth our Bo- " roughmonger Sovereigns that such men shall rule the law. And are they not " fit servants of such masters?—Accept, " Illustrious Countryman, once more, the " thanks of our hearts; together with " our earnest prayers to Heaven for your " health; that you may, ere long, renew " your Parliamentary exertions, in co- " operation with the honest, among your " brethren of the House, and all other " good men, towards a complete restora- " tion of our twofold Constitution, for " the salvation of our Country."

This admirable Address, which will live and be admired as long as there shall remain in Englishmen's bosoms the faintest spark of the love of that liberty, which was the pride of their forefathers, was agreed to unanimously, and, in such agreement, the people of Middlesex spoke, I am convinced, the sense of all the people of this kingdom, who do not, either directly or indirectly, depend upon the government for bread, or, who may not be fairly classed amongst the *Public Robbers.*——There arose, at this meeting, a question, which, at this moment, it is of great importance to discuss; namely, *whether the people in general not petitioning for a Reform in Parliament ought to be considered as a sign that the people in general do not wish for such Reform.* This is a question of very great consequence; but, before we proceed to the discussion of it, it is necessary to notice, what passed at the Meeting, and what has since been said in the Morning Chronicle, relative to the conduct of the OUTS.——Mr. Hare Townsend, who proposed the Resolutions, did, during his speech, which was a very eloquent one, lay pretty heavily upon the Outs, of whom he said, however, no more than was true, and especially respecting their base conduct towards Sir Francis, at the moment when, as they imagined, a cry would succeed against him as having been the cause of the blood that was spilt by the troops, called out and ordered to fire upon the people, during the measures for executing an order of the Honourable House. Their conduct upon this occasion, their "*rallying round* His Majesty's Government;" their foul, their vile, their execrable conduct upon that occasion, capped the climax, and left them not one sensible and disinterested man attached to them. It was upon that scandalous attempt to *run down* Sir Francis, in his absence, or, as some of them had the bravery to call him, "*the prisoner* in the Tower;" it was upon that scandalous attempt that Mr. Hare

Townsend had been commenting, when MR. BYNG rose to speak.——He said, "There never was a House of Commons "in which there was a greater proportion "of honest, upright men, more attached "to the real interest of the country than "the present. [*Here there were some murmurs, with cries of No! No!*] That was "his opinion—it might differ from that "of many, or most of those who heard "him, but still it was his opinion, and he "thought it would be wiser to *unite all the* "*real friends of the Constitution*, however "they might differ in *shades* of opinion, "while they agreed in the great princi-"ples; it was surely wiser to keep them "together than *to set them at variance* "upon trifling grounds of petty distinc-"tions, while the common enemy, the "advocates of corruption, seemed to be "so firmly and indissolubly united. He "regretted that his friend, Mr. Townsend, "had dealt *so indiscriminately in the abuse* "*of public men*, for there were in that House "of Commons many honest men, who were "prepared and disposed to listen to the "instructions of their constituents."—— Now, as to this idea of *uniting* against the advocates of corruption, *who* are the Reformers to unite with? Is it with the Grenvilles and Mr. Windham? No: it is then, perhaps, with Lord Grey and the Marquis of Lansdowne and the remnant of the Foxites; but, how is this union to take place, when these Lords and all their followers are "indissolubly united" with the Grenvilles and Mr. Windham? It is, therefore, perfect nonsense to talk of any such union. *Shades*, indeed! It is a pretty deep shade, I think, that exists between the opinions of Sir Francis, and those of the *India Judge*, for instance. Besides, Mr. Byng seems to have wholly mistaken the matter; he seems to have supposed, that the hostility, the "setting at variance," as he calls it, began with the Reformers. It began with their opponents, and amongst these they found the OUTS to be the most bitter. Who, for instance, began the attack upon the famous occasion, to which Mr. Townsend referred? Why, the OUTS. They were the first of the two factions to make the attempt at *running Sir Francis down*. They volunteered their services to the ministry; and, as if for the purpose of removing all blame from the ministers, for the violence that had been committed, and the blood that had been spilt, they even found fault with them for not getting out a large body of troops *sooner*; and, it is notorious, that this was their talk through the town all the Sunday preceding the attack upon Sir Francis's House. Their feet were swift to assault him; and, what is the worst part of their conduct, they affected a *personal regard for him*, in order that their attack might the better succeed. They kissed, that they might the more effectually betray. ——How vain, then, to talk of uniting with such men. There can be no such union. It is as impossible as the union between fire and water. Both the factions are our enemies; but, the OUTS, take them altogether, are the worst enemies of the two; and, for this plain reason, because they are more treacherous. ——Upon this subject, and by way of observation upon what passed at the Middlesex Meeting, the Morning Chronicle says: "The Ministerial Papers have found in "the speeches of some of the most dis-"tinguished speakers at the Hackney "Meeting great cause of joy, because "the Whigs were *violently misrepresented* "*and abused*. If it can afford the parti-"sans of the Treasury any solid satisfac-"tion to see the *genuine* friends of *order*, "*economy*, and *reform*, vilified, because "they will not depart from *the moderation of their ancestors* to adopt principles "which are *unintelligible*, they may in-"dulge their love of defamation freely, "for they are not likely to want oppor-"tunities of enjoyment. They were con-"demned for the measure of increasing "the property tax; or, *in other words*, they "were accused of *paying the debts* which "the *iniquity of their predecessors* had "brought upon us, instead, *we suppose*, of "declaring the nation insolvent. We "wish Mr. Hare Townshend had *spoken* "*out more clearly*, and had fairly said "what proceeding his party would have "recommended under the engagements "which the calamities of the system that "*they found established* had brought upon "the nation. Would his party have "advised them to *stop payment?* for cer-"tainly by no other means could they "have avoided laying burthens on the "people to the full amount of the increase "they made.—There is something so un-"candid, so unjust, and so unlike *men of* "*business* in this mode of attack, that it "fails of making any impression on the "most illiterate minds—and if it were "really to be considered as the sentiment "of the party, would utterly disqualify "them for all trust. It is a principle

" which *goes to the demolition of all govern-* " *ment, and to the total overthrow of all the* " *frame of society.*"—Sayest thou so? Why just the same thing is said by Mr. Perceval and Mr. Yorke, and why then, should *the people* wish for any change that would put out Messrs. Perceval and Yorke, and put Lord Grenville and Lord Grey in their stead? Why should *the people* wish for any such change? What is it to them who pocket the salaries at the public offices; whose crews of relations and retainers are to be fed at the public expence? For my part, if I must choose between the two, I would rather feed the relations and dependents of Mr. Yorke and Mr. Perceval, than the strange mixed sort of kindred of the OUTS, including their numerous swarm of feelosofers from Edinbro'.——Sayst thou so, indeed! To disapprove of nearly doubling the *income tax* is, then, to aim at " the *demolition* of " *all government*, and at *the total overthrow* " *of all the frame of society.*" This tax makes the man who has only *a life interest* in an estate worth a hundred a year pay ten pounds a year; and it makes the man who has a *perpetual interest* in an estate of the same worth, pay *no more than ten pounds a year*; this tax, which in its principle, is directly hostile to all the feelings of Englishmen; this fiscal inquisition; this most vexatious and cruel tax; this tax, which, at the time when it was first imposed, was declared by Mr. Fox to justify open resistance, or at least, *to render resistance a mere question of prudence;* to complain of the OUTS for having, at one step, almost doubled this tax; to do this is, it seems, in the opinion of those OUTS, considered as aiming at " the *de-* " *molition* of *all government*, and the *total* " *overthrow of all the frame of society.*" Very well, then. This is quite enough. Indeed, it is more than we wanted. We did not want this or any thing else, to convince us, that we had no good to expect from a change of ministry.——No: We would not, or, at least we need not, have advised them to " *stop payment*;" nor shall this attempt to mislead the public pass unexposed.——It is curious enough, that it has now been discovered, that many millions a year may and *must* be *saved*; and that great retrenchments in the expenditure must be made. Why was not this thought of by the OUTS, when they had the power in their hands? No: not " stop payment" of *debts*, justly due, but stop payment of sums not justly due; stop wasteful expenditure; stop creating of sinecures and paying of foreign troops. But, as we all remember, the very first parliamentary act of the OUTS was to bring forward a bill to enable Lord Grenville *to hold a great sinecure* together with his office as First Lord of the Treasury; and their second act was, a bill to enable them to *add to* the number of *foreign troops* then in the kingdom. No: we did not want them to " *stop payment*" of *just debts*; but we wanted them not to pay away our money in this way.——Well, but the OUTS, we are here told, augmented the income tax, and were compelled so to do, in order to be able " to pay the debts, " which the *iniquity* of their *predecessors* " had brought upon the nation." What! Surely, Mr. Perry, you must have forgotten what you were writing about. You must have forgotten of whom the OUT ministry consisted; or, which I will not believe, you must have been in hopes, that forgetfulness, as to this point, had seized upon all your readers. " The " *iniquity* of their *predecessors?*" Why, had not Lord Grenville and Mr. Windham and Lord Spencer and Lord Fitzwilliam and some others been colleagues of the cabinet with the " *Great man now* " *no more,*" during all the murderous deeds committed upon the resources and the spirit and the sense of the nation from 1793 to 1800; and had not Lord Sidmouth and Lord Hobart and others been in full power from 1801 to 1804? Nay, as if no pretence of this sort was to be suffered to remain for an instant; as if it had been resolved to take measures beforehand for depriving the *whole* of the OUTS of every means of defence, on this head, the whole of them, without a single exception, *voted away forty thousand pounds of the nation's money to pay the debts of* " *the* " *great man now no more,*" and that, too, *expressly upon the ground of his public services!* who, then, are those predecessors; what, Mr. Perry, are the *names* of those *predecessors*, whose " *iniquity*" had brought the debt upon us? It is very shameful to attempt thus to edge out of the blame. I know very well what was the real cause of that disgraceful vote. I know that that vote, like many other things, was the effect of the coalition with the Grenvilles and the Addingtons, particularly the former; but, that is nothing to the public. The Whigs received the *price* of their compromise; and, the nation is not now to be told, that *the deeds, arising out of that com-*

promise, were none of theirs.——If Mr. Perry should chance to revive this subject, I beg him to have the goodness to tell *who* it is that he means, when he is speaking of the *iniquitous predecessors of the late ministry*; for, if he mean to say that it is the present set, then I beg to observe, that that set was in power only about *twenty months* previous to the coming in of the OUTS in 1806; and, when they were in power, the "great statesman now no "more" was at their head; and, then, comes the fact, that the OUTS did, by a solemn act, unanimously approve of his conduct, and made us pay his debts on account of his public services.——Mr. Perry calls the OUTS (for he makes no discrimination) "the *genuine* friends of "*order, œconomy*, and *reform*;" and says they are vilified by the Reformers, "*be*-"*cause* they will not depart from the "*moderation of their ancestors* to adopt prin-"ciples which are *unintelligible.*"——This is very good as mere *assertion*. It is as good as any other unsupported assertion, at any rate; and will, I dare say, have full as much weight. The use of the word *moderation* will do little good, unless it be first shown, that the Reformers are immoderate in their wishes and demands, which, I am satisfied, cannot be shown. These "genuine" friends of *order* have proved the goodness of their pretensions, perhaps, by blaming the ministers, not for sending a military force, an army to take a man from his house, but for not sending that army *sooner*; their "genuine" friendship for *œconomy* has been shown in a thousand instances, one of which was the grant of pensions to Mrs. Fox and her daughters, in which act *decency* seems to have rivalled œconomy; and, as to their "ge-"nuine" love of *reform*, that has been so very clearly evinced in the stand, the immortal *stand*, which they made against "*popular encroachment*," in the case of Mr. Madocks's motion, that the man who can doubt of their desire to see a reform must be sceptical indeed. Upon that occasion it was offered to be proved at the bar of the House, that Mr. Perceval and Lord Castlereagh and Henry Wellesley had been concerned in trafficking for a seat, and in putting out a member because he would not vote as they wished him, in the case of the Duke of York. A motion was made for an *inquiry* into the matter; and *against* that motion the OUTS voted to a man. They "rallied round the go-"vernment," and heartily joined the ministers in "making *a stand against popular* "*encroachments.*" Yes, to call for an inquiry relative to the selling of a seat and afterwards putting out the person who had bought it, because he would not vote as he was commanded: this did they call "*popular encroachment!*" Who, then, can be beast enough to doubt that they are "the *genuine* friends of *Reform?*"——No, Mr. Perry, you do not go the way to succeed in your laudable wishes. *You* wish, I know it well, that the OUTS were what you describe them to be; *you* have, I sincerely believe, no views other than that of seeing a change of system, calculated to produce permanent national happiness; but, I must think, that you grossly deceive yourself in supposing that such a change, or any thing like it, would be produced by *a mere change of ministry*. And, it does appear to me, that you, by attempting to justify the OUTS; by attempting to set them up as preferable to the Reformers, are at open war with your own wishes; because you thereby give them a sort of encouragement to proceed in their present course, and you may be assured, that, while they so proceed, they will never again be in power; they will never again possess either power or popularity.——In your paper of the 30th of April, you have some observations, belonging to this same subject, which must not pass unnoticed.——"We are told that it is the "design of Ministers to appoint the Right "Honourable CHARLES YORKE to a Cabi-"net situation of high and important "duties, that of First Lord of the Admi-"ralty; and that his commission is dated "before his return to parliament for the "borough of St. Germain's; so that the "spirit of the Law of Election on an ap-"pointment to office is to be evaded. "This *contempt of public opinion* is so per-"fectly in unison with the whole system, "that it cannot fail to make a due im-"pression on every thinking mind. It is "an unblushing avowal of the doctrine "which it is the object of a Junto to in-"culcate, that the only sure path to office "is that of servile submission. This ele-"vation to power of *the author of the vio-"lent proceeding which has convulsed the "kingdom*, will be matter of triumph to "*the party* who so obviously prefer the "present Ministers to their opponents; "*because they consider them as men calcu-"lated to bring the empire to confusion.* No "single step could have been thought of "more likely to increase the national dis-

"gust than this appointment; the solemn "assurance of a person in the confidence "of Ministers could alone have made us "give credit to the rumour."——So, then, the Reformers are here asserted to prefer the present ministers to their opponents, and why? "*Because* they (the "Reformers) consider the present ministers *as men calculated to bring the empire "to confusion.*"——This is very charitable, Mr. Perry. Very charitable and very modest in you to say, without any hesitation, that the wish of Sir Francis and all those who espouse the cause of Reform; that all this "*party*," as you are pleased to call them, wish to see the "empire" brought to *confusion*. This is very modest. Why not call us all Jacobins and Levellers, at once? Why not talk of a Jacobinical Conspiracy? *You* blame Mr. Yorke, indeed! And, for what? What has Mr. Yorke said more than you are now saying? He calls all those who wish for Reform, *Jacobins* and *Levellers*; and you say they want to see the "Empire" *brought to confusion*. Would it be too much to say any thing, however harsh, to you, in answer to this?——But, now let us see what it is you are doing: not what you have heretofore done; but what you are actually doing at this time; and first, in order to have more matter before us, let us hear your lamentation upon the gazetting of Mr. Yorke. "Our "readers will see, by the extract from the "Gazette, that the appointment we announced has actually taken place;— "and, strange as it may seem, the great "and important office of First Lord of the "Admiralty is entrusted to the new Teller "of the Exchequer, Mr. Yorke. It is "obvious that this appointment can add "nothing to the strength of Ministers; "for with the most violent, indiscreet, and "irritable temper, Mr. Yorke possesses "no *talents either for Council or Debate, to "entitle him to any official place whatever*. It "is painful to think of the forlorn and "*desperate state of the country*, when a "minister can *with impunity insult the people* by such a choice. This honourable "gentleman shut the Gallery of the House "of Commons against the people. He "did his utmost to prevent the country "from having a daily account of the proceedings of their Representatives. He "complained of Mr. Gale Jones, and *got "him sent to Newgate without a legal trial*; "and when on *receiving his reward* for all "this by a sinecure, which ought to be "*abolished*, his own Constituents displayed "the *indignant feeling which filled the hearts "of all mankind*—he is chosen by govern- "ment as a person further to be distin- "guished by the favour of the crown!" ——Well, then, let us see what you have asserted in these two articles.——That the spirit of the Law of Election has been evaded by Mr. Yorke's appointment;—— that this appointment is in contempt of public opinion, but is in perfect unison with the whole of the prevailing system; ——that the only sure path to office now is servile submission;——that the present ministers are men calculated to bring the empire into confusion;——that the man now appointed to have the supreme controul over the navy of this kingdom, and the planning of all its operations, has no talents to qualify him for any office whatever;——that the minister's making such an appointment with impunity is a proof of the desperate state of the country;—— that the appointment of Mr. Yorke is a reward for his having shut the gallery, and having assailed the press in the person of Mr. Gale Jones;——and that for conduct, which filled all mankind with indignation, he is chosen by the government as a person further to be distinguished by the favour of the Crown.——This is what *you* say. Now, if all this be true, and if the Honourable House do still choose to put its confidence in this same ministry, and vote our millions upon millions of taxes into their hands, you should observe, that the fault is not in the ministry, but in the Honourable House; the fault must be in that, be it what it may, that supports the ministry, that keeps the ministry in power. Is it not, then, very inconsistent (to speak in the mildest terms) in you to speak thus of the acts of the ministry, and, in the very same breath, to speak in terms so harsh of those who wish to see the Honourable House reformed, and who are labouring to that end? You did not answer, nor did you attempt to answer, my last article upon this subject. It was because you *could* not. You and your party censure the conduct of the ministers; You assert their continuance in office to be fraught with ruin, with utter destruction, to the country; You insist that the putting of them out is absolutely necessary to the safety of the country: but, the Honourable House say, that *they shall not be put out*. Either, therefore, what you assert of the ministers and their measures *is not true*, or *the fault is in the*

Honourable House; and, yet you condemn us; You impute to us the worst of motives, because we say that a change in the ministry would be of no service *without a change in the House.*——This, you see, is the point, to which I always bring you at last. You, ever and anon, bolt out and scamper about; but, I always get you back again into this corner, and when I have you here you are safe. This is the point: either what you and your party say of the measures of the ministers and of the tendency of those measures *is untrue,* or *the Honourable House stands in need of a reform.* ——I wonder, and I have often wondered, how your party can possibly suppose, that, while the court is what it now is, they should get into power, without a reform of the House. Why should any man but themselves wish for such a change? That they and their Edinbro' feelosofers (to the grand teacher of whom, Mr. Stewart, your party gave a *sinecure)* should wish for a change that would put pence in their pockets is very natural; but, what in all the world should induce the people of this kingdom to wish for such a change? It is quite beyond my comprehension, that any benefit would be derived from the taking of the official emoluments out of the hands of the present possessors, and giving them to the illuminati of Edinbro', I know of few things more galling than to be coolly told by those feelosofizing gentry, that "*after* all, the people of this coun- "try enjoy a *prodigious mass of comforts,* "mental as well as material." We want our plain, well-known, legal rights; we want to possess, without disturbance, our property and our liberty; and neither understand, nor want to understand, any of their metaphysical jargon. We see them greedy as vultures to get at a share of our taxes; and, my real opinion is, that, if the last ministry had remained five years in place, we should have seen hundreds of these feelosofers feeding upon us.——In short, it is *the system* that is in fault. It is that which exposes us to this as well as to all the other sorts of depredation; and, it is because they do not cordially wish for a change of this system, that the people dislike, and will continue to dislike the OUTS as much as they do the INS.—— Now, as to the question, *whether the people in general not petitioning for a reform ought to be considered as a proof that the people in general do not wish for such reform,* I have not room here to enter into it; but, I cannot help observing, that, when a tax is to be imposed, a treaty of subsidy made, or a war to be entered on, there is no one who talks of the necessity of *waiting to hear what the people have to say.*——The people, except in the metropolis, have not the means of getting together without some inconvenience; but, besides this, there is the dreadful chain of influence. The borough-mongers are pretty equally distributed all over the country, and every creature in *authority* is chosen by the system, and depends upon the system, which it is proposed to change.—More upon this subject in my next; but, it must be clear to every man of common discernment, that the mere act of *petitioning* is, as to this question, nothing at all.——Mr. Perry says, in another part of his paper, that nothing but *Reform* can save us from *Bankruptcy* and *Revolution;* but, he does not say *Parliamentary* Reform; and, as to Lord Selkirk's reform, or any other such matter, it will, whenever it is brought forward, be a fine subject for laughter.——I never can touch upon the question of reform without exhorting its friends to *patience.* Persevere by all means; but be not in *haste.* No *hurry.* The thing must come; and nothing but haste can *retard* its arrival.——We should never suffer ourselves to be led away into *anger* by such things as the appointment of Mr. Yorke. All such things are good. They work for the ultimate happiness of the kingdom. In the mean while, those valuable members of society, the paper-money makers, are at work in every hole and corner of the country; and, as companions to their productions, the minister sends forth, in ever-increasing quantities, his taxing papers and his taxing laws.——Those who apprehend some trick to be played off for the purpose of reviving the *alarms,* so successful in the times of the "great "statesman now no more," do not appear to have duly considered the wide difference in the circumstances. There is no longer a bloody revolution going on in France. There Napoleon has become a *regular* sovereign with a very *regular* government, and has, moreover, taken a wife to himself of the regular government kind. In short, there is no cheating of any body into a belief, that there is now any danger from Democratical principles. The day for such cozening is passed. The paper-money and the taxes are what concern us. *They* will not be staid in their progress; and every day will produce fresh conviction, that, either they

will produce the most calamitous effects, or a Parliamentary Reform must come and set bounds to them. A change of the system does not, in my view of things, depend upon *any body*. It must, in my opinion, come, whether it be wished for or not; the only difference being, that, adopted as an act of prevention, it will be much better than if adopted in the way of cure.

WM. COBBETT.

Botley, 3rd May, 1810.

Capt. Foskett's Petition must be again postponed.—The murder of the men by the Life-Guards would require more room to notice than I have now left.——Respecting *Robert Jeffery* there are, I am told, some further proofs that will soon come to hand; but, in the meanwhile, I have every room to believe, that the *new-coined* story about his being at Boston is totally false.——In my next I hope to be able to lay before my readers a Narrative of MR. O'CONNOR, who has been so infamously calumniated in the hireling prints. The public, when they read that Narrative, will, I am certain, join me in execrating those who have so basely calumniated that gentleman. This is a case, which I hope every Englishman *will make his own*.——For the *motives* of the calumny on Mr. O'Connor my motto will speak. The words of that motto should be constantly before the public. It is the last resort of political villainy, of public robbery, to calumniate their accusers; to endeavour to destroy the reputation of those, who have the courage to assail them.

THE WHIGS GRUMBLING.

Sir;—If the following quotation from the Morning Chronicle of the 28th instant, with the few remarks which I have to offer upon it, be not worthy of their room in the Political Register, they may suggest to you remarks which otherwise might escape your attention. Mr. Perry complains that "the Whigs were condemned" at the last Hackney Meeting, "for the measure of increasing the property tax, or, in other words, they were "accused of paying the debts which the "iniquity of their predecessors had "brought upon us, instead, we suppose, "of declaring the nation insolvent. We "wish Mr. Hare Townsend had spoken "out more clearly, and had fairly said "what proceedings his party would have "recommended under the engagements "which the calamities of the system that "they found established had brought "upon the nation. Would his party have "advised them to stop payment? For cer-"tainly by no other means could they have "avoided laying burdens on the people to "the full amount of the increase they "have made. There is something so un-"candid, so unjust, and so unlike men of "business in this mode of attack, that it "fails of making any impression on the "most illiterate minds—and if it were "really to be considered as the sentiments "of the party would utterly disqualify "them for all trust. It is a principle "which goes to the demolition of all go-"vernment and the total overthrow of "all the frame of society." So without doubling the property tax, the Whigs could not pay the debt which the iniquity of their predecessors had brought upon us, or, in other words, they must have declared the nation insolvent if they did not double the property tax. With respect to a declaration of insolvency there is not a case, perhaps, in which that does not become of two evils the least when a confession of it has already taken place; as it has done in the present case ever since the Bank confessed its inability to pay in cash. And therefore it devolves upon the Whigs to shew the exception to the general-rule, as it applies to the parties concerned in the national debt. The Whigs, as the first parents of the national debt, have lately appeared very anxious to have it understood that they are determined, in place as well as out of it, to keep the faith of the nation inviolated with its creditors; but how? Just as it has been kept by their predecessors. How has that been? When the national debt was instituted a pound sterling of its interest would purchase 80 quartern loaves to the national creditors, and now it will only yield 15. And will yield less and less while paper continues to be the medium in which the interest of the debt is paid. This is the way in which the Whigs will keep faith with the nation, and is not the nation obliged to them for it? But could they not, without declaring the nation insolvent, stop the payment of the army that was to reconquer Hanover or carry on eternal war? Could they not have avoided the creation of the numerous places and pensions that they have conferred upon their friends, and stop the payment of the sinecures that are enjoyed by their enemies? "I wish Mr.

"Perry had spoken out more clearly. "In his obscurity, there is something so "uncandid, so unjust, and so unlike a man "of business, that it fails of making any "impression on the most illiterate minds, "and if it were really to be considered "as the sentiments of the Whigs would "utterly disqualify them for all trust. "It is the principle which goes to the de- "molition of all government, and the total "overthrow of all the frame of society."

A BURDETTER.

LORD ERSKINE'S LETTER.

The following is the Letter addressed by Lord ERSKINE to R. B. SHERIDAN, Esq. at the time of the discussion in the House of Commons on the subject of the Resolution of the Bench of Lincoln's-Inn against the Press.

DEAR SHERIDAN,—From something that has been stated to have fallen from my friend, Anstruther, upon your motion on Friday, the public (and naturally enough) are up in arms against me—I am sure he did not intend to hurt or injure me, as we have always lived on terms of intimacy and friendship. I could have prevented that misapprehension had I foreseen it, by authorising you to state in the House of Commons what had passed between us upon the subject of the Resolution; but, I asked your confidence, to avoid even the appearance of acting invidiously towards friends in the profession, with whom I have spent the greatest part of my life, and to whom I am sincerely attached; but, as things have turned out, I cannot do justice either to them or to myself, more effectually, than by stating the facts regarding this proceeding exactly as they stand.—I went to Lincoln's Inn on the 3d of February, two years ago, not with the view of considering any public business, but to dine at the Bench with my old friends and companions at the Bar. It happened on that day when the Benchers were drinking their wine after dinner, in their own apartment, that a report of several Propositions was brought up to them from Gentlemen of the Bar, assembled in the Hall, one of them, (as appears by the Minutes of the Society), being the Resolution in question—what passed in conversation on the subject I do not remember, my attention had never been called to it, and coming as it did from the Bar, it is extremely likely, since no decision was to be come to upon the subject, that I might not have opposed any view that the other Benchers were disposed in such conversation to consider it, and the rather, because I had and have the highest opinion of and the greatest confidence in the learning and integrity of those who were present, more accustomed than myself, since I left the Bar, to attend to the concerns and duties of the Society. An answer was sent to the Bar, that the Bench would take into its consideration the suggestions of their report, which contained several different subjects, for its future deliberation.—According to the usual forms of the society my name appears, as of course, to that answer, and stands first, from the courtesy of the Bench to rank or seniority; but it is most evident that no sanction was given to the Proposition by this proceeding. We were sitting over our wine and sending an answer of respect to the Bar. From that time forward I never heard more upon the subject, having removed to a distant part of the town, until I heard not long ago that the Resolution in question had been adopted and confirmed in the May following the February, when I had dined in the Hall. I heard at the same time that it was considered by many to be objectionable.—What part I should have taken, had I attended with the Benchers who adopted it, it is impossible for me to say; whether the objections which now most forcibly present themselves to my mind upon the subject of the Resolution, would then have occurred to me, since they do not appear to have occurred to others or how far, if they had occurred, they might have yielded in decision, from confidence in the judgment of my friends present, I will not even venture to conjecture, because it would be invidious towards men whom I highly respect for their talents and honour, and would besides be arrogating to myself, without any certain foundation, that I should have been wiser upon this subject than those whom I have always considered, and still consider to be my equals.—Be this however as it may, I can never be taken in my absence to have been concurring in a decision of such importance, when I had no opportunity of exercising a deliberate judgment upon a matter that was to affect the interest of others. But this I can firmly say for myself, that if I had been present when the Resolution in question was adopted, and had concurred with those who adopted it, I should not the less on that account (with

the opinions I entertain at present) have hesitated to propose that it should be rescinded. I have always considered the retractation of errors in public men, acting sincerely, but without due consideration, to be not only no humiliation, but the highest and most grateful illustration of talents and virtue; yet in nothing is the world more perpetually suffering, than from the general blindness of mankind to this obvious truth. We see not merely individuals exposed to the greatest calamities, but even nations undone and ruined, to cover a mistake in the most difficult and complicated policy of a State.

I may appeal safely to you, my dear Sheridan, for the sincerity of this remark, because you know that though I was not a party to the Resolution, I communicated to you in confidence my determination to move for its repeal, and expressed an opinion, that the Benchers would reconsider and rescind it on the principle adverted to. It is one of the greatest blessings attendant upon our own free government that we are instructed in our duties, and corrected in our errors by public opinion, and they who refuse to be so instructed and corrected, are unworthy of the most insignificant trusts.—The Inns of Court, without any incorporation or clearly defined jurisdiction, have preserved for a long season the character of the English Bar, and I have no doubt that they will continue to preserve their immemorial reputation.—You will not wonder that I am very anxious upon this subject; you know my subscription to the Freedom of the Press, and in very critical times to other branches of public liberty.—You have often done me more than justice by eloquence, which though not requiring the warmth proceeding from partial regard and opinion, has always been so remarkable when I have been the subject.—I mean to call upon my friend Anstruther to-morrow morning, who, I am quite sure, will be ready to do me justice. Your's, most faithfully, ERSKINE.

Saturday night.

OFFICIAL PAPERS.

MARRIAGE OF THE EMPEROR NAPOLEON WITH THE ARCHDUCHESS MARIA LOUISA.

—(*Continued from p.* 672.)

..... The Grand Master of the Ceremonies will make a bow to their Majesties, and inform them that the ceremony is completed.—Their Majesties will then return to the apartment of the Empress in the following order:—The Vergers, Heralds at Arms, and Pages, will place themselves in rank in the Saloon of Mars to form the advance of the procession. The Officers and Grand Officers preceding their Majesties will advance from right and left to take their places in the procession. The Grand Dignitaries and the Princes and Princesses of the Blood will next advance.—Then the Emperor and Empress, followed by the Colonel-General of the Guard, the Grand Marshal of the Palace, and the Grand Almoner, the Knight of Honour, the First Equerry, the two Maids of Honour, and the Robing Woman.—The Princesses will follow, and the procession will close with the Ladies of the Palace, the Maids of Honour to the Princesses, and the officers in the service of the Princes and Princesses.—The procession will reconduct their Majesties to the apartment of the Empress, and then retire. Upon this occasion the Empress will be in full court dress, and wear a crown set with diamonds.—At two o'clock the ceremony of the civil marriage will be announced by discharges of artillery fired at St. Cloud, and repeated in Paris at the Hospital of the Invalids.—After dinner their Majesties will repair to the family drawing-room. The retinue to accompany them to the theatre will assemble in the adjoining chambers. Their Majesties, in going to the theatre, will pass through the grand apartments of the Orangery, and arrive at the Imperial Box. The Orangery will be illuminated.—The persons invited to the ceremony will also be invited to the theatre. At the conclusion of the performance, the Emperor will reconduct the Empress to her apartment. When the Emperor retires, the Empress will accompany him to her outer saloon. There will be a general illumination at St. Cloud, and the water-works will play.

April 3 and 4.—The Civil Marriage of their Imperial and Royal Majesties were celebrated on Sunday, at the palace of St. Cloud, at two o'clock, conformably to the programme. In the evening every part of the park was filled with an immense concourse of spectators, that flocked from Paris and the neighbouring communes, to enjoy the magnificent and entirely new spectacle presented by the illuminating of that beautiful garden. The illusion was singularly augmented by the playing of the water, which rising above

the illuminations, doubled their effect by reflection. A most surprising circumstance is, that at St. Cloud the weather was pretty fair, at the same time that in Paris the streets were inundated with an incessant torrent of rain. Fears were already entertained with regard to the festivity of the ensuing day; and we had begun to lament the loss of so many preparations made in the capital to celebrate the most august of ceremonies, and the most memorable of events. The star of the Emperor once more prevailed over the equinoctial gales. At the moment when the cannon announced the departure of his majesty, the sun dispersed the clouds; and nothing was wanting to the splendour of the most delightful fete that we have ever beheld.

On the arrival of the Emperor and Empress at the avenue of Neuilly, the drums began to beat, the bands of music struck up, the cannon fired, &c. Their Majesties stopped about ten minutes under the triumphal arch at L'Etoile, where they were complimented by the magistrates of Paris.

The Emperor and Empress reached the Thuilleries at two o'clock, amidst the same acclamations.

The ceremony of the chapel having lasted nearly three quarters of an hour, was succeeded by a repetition of the same acclamations and the same tokens of respect and attachment. Their Majesties returned to the Thuilleries before four o'clock.

It took much less time than might be conceived to clear the gallery, by two staircases only, of that multitude of spectators. The order established below, and the judicious regulations observed on the arrival of the carriages, facilitated their departure. This part of the fete was nowise inferior to the rest in beauty and attraction.

It is also impossible, except for those who saw them, to form an adequate conception of the richness and elegance of the illuminations. Never was so magnificent a spectacle exhibited to the public. The palace and garden of the Thuilleries, the triumphal arch erected at Pont Tournant, Place de la Concorde, the palace of the Legislative Body, Le Garde Meuble, and the Temple of Glory, formed an enchanting *toute-ensemble*, which it is extremely difficult to describe, because there is nothing with which to compare it.

FRANCE.—*Legislative Body—Sitting of the 21st of April*, 1810.

At four o'clock, M. Count Regnault de Saint Jean D'Angely mounted the Tribune to communicate a Decree of His Majesty, importing that the business for which the Legislative Body had been convened, being terminated, the closing of the Session of 1810 should take place this day, the 21st of April.

Count Regnault then pronounced the following Speech:

"Gentlemen—The labours of your double Session, the events which have preceded and accompanied it, will leave to the nation great recollections and high hopes. The civil and financial legislation has, during ten years, advanced by an uninterrupted progress towards perfecting the principles and completing the system of the former, and alleviating the weight of the contributions imposed by the latter.—The internal organization is ameliorated: industry has followed in the course of former success. The plans for all the great public labours, and the means for their execution, have been decreed—great political views have extended, with wisdom and moderation, and always with advantage, the limits of the Empire.—The continental peace, which before rested only on treaties, and the perpetuity of the dynasty, which had for its foundation only the genius of a hero and the power of a great nation, have now for their basis a prosperous, holy, august, and eternal alliance.—Such, Gentlemen, is the picture which you have to exhibit to the inhabitants of your provinces, and of which I have only to recal to your memory the principal features; your hearts guarantee its fidelity. [The Counsellor of State then proceeded to enumerate the laws passed during the Session, and took a view of the interior administration of the empire. Passing next to the state of the Foreign Relations of France, he expressed himself thus:—] You have witnessed, Gentlemen, the *Senatus Consultum* which unites to the French Empire the city of Rome, the ancient patrimony of the Cæsars and of Charlemagne. This Act of the Constitutions of the Empire, indicated by history, counselled by policy, and decreed by genius, joins parts of the Western Empire which have long been separated, and establishes an alliance between the Tibes and the Seine, between Paris and Rome. Finally, this Act, re-

specting the authority, always sacred, of the Church, and preparing the true glory of religion, secures the independence of Thrones and the respect of Sovereigns.—A new department will be formed, under the name of the *Departement des Bouches du-Rhin*, and the remainder of the ceded territory will be united to the Department of the *Deux Nethes*, which will thus be rendered one of the most considerable, most important and most wealthy of the Empire. Meanwhile, the Confederation of the Rhine has its consideration increased, its power confirmed, and the ties which unite its Members drawn closer.—If the war still growl in those regions, the pernicious power of reaching which the English yet retain, it is either at such a distance on the frontiers of the Ottoman Empire, that Europe cannot long suffer from it, and Asia alone is menaced (unless the Divan return to better principles)—or for but a short period beyond the Pyrenees, until the ports of Spain shall be opened to our arms, and closed to England. From that moment the peace of Europe may be regarded as secured by the sanctity of treaties, the extent of power, the conformity of interests, and the superiority of genius.—You have seen an august Messenger of Peace, a sacred pledge of eternal alliance, arrive in the heart of France, which has thereby been intoxicated with joy, and transported with love. It has been your destiny to be witnesses of the solemn bonds which will for ever unite Napoleon and Maria Louisa, and have at the same time united the interests of France and the interests of Austria, for the happiness of the two nations, and the tranquillity of the world. All the allied nations bless an event which completes the establishment of their power, and cements the ties which unite them. Enlightened police, and consoled humanity, give it equal applause; the reason of Europe sanctions it, but it belongs in particular to France to feel all its value."

Count Regnault having concluded, the most animated applause ensued.—The President then spoke as follows:—"Gentlemen Orators of the Council of State, the proof of his satisfaction, which his Majesty has been pleased to give to the Legislative Body, would be alone sufficient to terminate gloriously a session already so strongly recommended by the nature of our labours, by the sentiments expressed in it, and by the happy event of which we have felt the goodness and the glory.—If the Penal Code has imposed upon us a vigorous Ministry, laws full of humanity and of wisdom have softened this painful duty.—Support has been secured to our temples, and that Holy Ministry, the source of all morality and virtue. Wise measures have been adopted for the maintenance of hospitals. The state of a great number of communes has been ameliorated.—The city of Paris has conceived projects worthy of its high destinies, and has received the means of executing them. The exploring of mines has been encouraged. We see revived an industry too much neglected among us, and of which our late misfortunes have made us feel all the value.—The finances of the empire, far from requiring new sacrifices, have only presented wise and useful modifications, with the hope of seeing them still further ameliorated.—Finally, a law of the greatest interest, and which may be termed the completion of the Judicial Order, has been adopted.—The Magistracy is going to resume that ancient dignity, the First Magistracy of the Laws, a just independence will defend it from the excess of powers. Such have been the works of this Session.—But what interest has been spread upon our labours? These new pledges of peace, these glorious nuptials, and their happy presages; what long years of happiness and repose are presented to our hopes. May they multiply and render their authors as dear to Europe as they are to this Empire. May this alliance, formed for the happiness of so many nations, embellish the destinies of these Consorts, and crown the expectations which we love to entertain.—The President having concluded his speech, the meeting renewed its applause.—The President then declared the Session terminated, and the Legislative Body separated accordingly.

COBBETT'S
Parliamentary Debates:

The Fifteenth Volume of the above Work is in the Press, and will be published with all proper dispatch. All Communications will be carefully attended to; but it is particularly requested that they may be forwarded as early as possible.

Published by R. BAGSHAW, Brydges-Street, Covent-Garden:—Sold also by J. BUDD, Pall-Mall, LONDON:—Printed by T. C. Hansard, Peterborough-Court, Fleet-Street.

COBBETT'S WEEKLY POLITICAL REGISTER.

VOL. XVII. No. 19.] LONDON, SATURDAY, MAY 12, 1810. [Price 1s.

"Encampments of Troops are to be formed in the vicinity of London. The ground is said to be "f marked out at different points, so as to draw a complete cordon round the Metropolis. For what "purpose this most unseemly spectacle is to be exhibited we know not."——MORNING CHRONICLE, 7th May, 1810.

"Westminster-Hall instantly rang with loud acclamations which were communicated to the whole "extent of the City. They even reached the camp at Hounslow, where the king was at dinner in Lord "Feversham's tent. His Majesty demanded the cause of those rejoicings, and being informed that it "was *nothing* but the soldiers shouting at the delivery of the bishops, 'Call you that *nothing*?' cried "he, 'but so much the worse for them.'"——HISTORY OF ENGLAND, JAMES II. 1688.

SUMMARY OF POLITICS.

PRIVILEGE OF PARLIAMENT.——Since my last Number was published a very interesting debate has taken place *in the House of Lords*, upon the subject of *Privilege*, and also, incidentally as it were, upon the equally interesting subject of *Parliamentary Reform*.——As to the former, my lord GREY, in making a motion for summoning the Lords to the discussion of a proposition for an Address to the king, upon the present state of public affairs, deprecated the "*wild*" notions now afloat, respecting the privileges of the other House; and my lord Grenville, in terms somewhat stronger, did the same. The sum and substance of what their lordships said was this:—that "the *deluded* people," who now clamoured against "the use of "the privileges in question, did not per- "ceive that those privileges were abso- "lutely necessary *to the safety of the people* "*themselves*; for, that, without them, the "other House could not exist."——Now, what is the privilege that is, at this moment, contended against? Why, it is the POWER *of sending to jail* ANY PERSON WHOM THE HOUSE PLEASES TO SEND TO JAIL, *and of keeping the said person in jail, during the House's pleasure, without there being any oath made against such person, and without any warrant under the hand of a sworn magistrate*.——Are we "*deluded*" because we dislike the existence of such a power as this? If we are, we have been "deluded" by *Magna Charta*, the *Bill of Rights*, and by all the renowned expositors of our ancient and wise and righteous and, I had almost said, holy laws. And, waving *the manner in which the other house is formed*; saying nothing about that here; supposing my lord Grey's former complaints against the composition of that House to have been groundless, and that the House is, what it professes to be, *a representation of the people*: supposing this to be the case, how does it appear, and how can it be made appear, that a power, such as is above-described, is *necessary to the existence of the House*?——My LORD ERSKINE'S most admirable answer to the other two noblemen, I shall presently insert, because no account of it can do it justice; but, I must here press the question just put. How can such a power, *a power to imprison the king's subjects* AT THEIR PLEASURE; how can this power be shown to be necessary to the House's existence?——No attempt has been made to *prove* the truth of the proposition; or, at least, I have seen no such attempt. Does the House stand in need of *greater powers than the king possesses*? The king can commit no person at his pleasure. The king has no other power of self-protection than that which the courts of law afford him. If the king be libelled, he must send his complaint before a Judge and a Jury, and no imprisonment can take place for the crime, and no punishment of any sort, until a *Jury* have found the party guilty. And so, says Magna Charta and the Bill of Rights, *that no man shall be imprisoned or otherwise punished but by judgment of his peers*.——If, then, the king stands in no need of such extraordinary power; if the law has allowed him no such latitude of authority; and if he exists safely without any such power, *why* should such power be necessary to either of the other branches of the legislature?—— I should like to have an answer to this question; and, until I have it, I shall not think myself a "*deluded*" man, if I continue firmly to believe what lords Grey and Grenville have described as being so very absurd. ——There is another view of this matter,

which no one, that I know of, has taken. If we were told that the king, or rather *the king's minister*, acting in his master's name, had the "*privilege*" (for so this *power* is, it seems still to be called) of sending to jail, and keeping there during *his* pleasure, any of the people, who by writing or otherwise, should offend *him*, what should we *then* say? What name should we *then* give to the government of England? Indeed, what name but one could it possibly have?——Well, let us, now, take along with us the doctrine, that the minister for the time being ought always to have *a majority of the Honourable House on his side;* and, indeed, the *fact*, that this is the "practice of the constitution." What is there, then, to prevent the minister for the time being from sending to jail, and keeping there during *his* pleasure, any man who may offend *him?*——Am I told, that his majority would, if he attempted to do what was wrong in this respect, desert him? To this I make no answer; but, it will not do for the OUTS to tell me this; because they have, during this session; aye, and in the case of the very question now before us, *blamed, and loudly blamed, what the minister and the majority did actually do.* If, therefore as the OUTS assert, the minister and the majority did what was blameable in this case, why might they not do it in another case? Why are we to suppose, that they will stop here?——To this question also, I long for an answer; and, until I receive it, I certainly shall not think myself a "*deluded*" man, as far, at least, as relates to this matter.——I shall now conclude this article with the insertion of the speech of my LORD ERSKINE, as I find it reported in the Morning Chronicle of the 8th instant, and to which speech I think it my duty to give all the means of circulation in my power.—— "Lord Erskine said he felt "himself called upon to say a very few "words to their lordships. He said he en- "tirely agreed with his noble friend who "gave the notice, that notwithstanding any "imperfections with which time might "have visited our happy Constitution, it "was the best and wisest upon the face of "the earth, and under which there was "the greatest enjoyment of happiness and "freedom; but it was impossible to con- "template that perfection without ad- "verting to the principles which were "its essential characteristic. Its character- "istic indeed had been correctly and lu- "minously expressed by his noble friend "(lord Grenville) who sat next him, when "he said, 'that Parliament was the au- "'thor of it, and that like our ancestors, "'from whom we inherited our freedom, "'we should rally round Parliament;' so "said his lordship, because in rallying "round Parliament, or in other words, "round the King, Lords and Commons, "we were rallying round the Constitu- "tion and the Laws; around which *all* "were disposed to rally. It was the cause "of the immediate reference to this "sound doctrine that obliged him to ad- "dress their Lordships. His noble friends "had adverted to the late exercise of Pri- "leges by the House of Commons, and of "the sensation they had created. If they "alluded only to the disturbances in this "great city which they inhabited, he "joined in lamenting them; but if they "involved, in this sentiment, the legal re- "sistance by those who had been the ob- "jects of them; if they alluded to actions "which though not pending, *were in imme- "diate prospect*, he must declare that he "considered it to be a matter of the "greatest magnitude and importance, "*which the laws alone ought to determine, and* "*with which their Lordships had at present no* "*manner of concern.*' If the Privileges of "the Commons under the Constitution "had been invaded, the Commons wanted "no assistance from the Lords to protect "them; *the Laws would protect them;* and "if in the invasion of their Privileges the "Lords' Privileges were by analogy in- "vaded, it less became them to be for- "ward in their assertion: *more especially* "*as the question might come legally and judi- "cially before them.* No man would more "zealously defend the Privileges of Parlia- "ment, or of either House of Parliament, "than he should; and he admitted, that "what either branch of the Legislature "had been for the course of ages exer- "cising with the acquiescence of the "whole Legislature, would, *in the absence* "*of Statutes, which would be the grand ques- "tion*, be evidence of the common Law of "Parliament, and, as such, of the common "Law of the Land. The jurisdiction of "Courts rested in a great measure upon "the same foundation: but besides that, "these precedents, as applicable alike "to all of them, were matters of grave "and deliberate consideration—they were, "and must be, determined in the end *by* "*the law.* He knew that the contrary was "insisted upon by the Commons, when "they committed Lord Chief Justice

" Pemberton for holding plea of them in " his Court; but so far was he from con- " sidering such a claim as matter of argu- " ment under this Government of Law, that " I say advisedly, (said his Lordship,) that " if, upon the present occasion, a similar " attack was made upon my noble and " learned friend (Lord Ellenborough) who " sits next me, for the exercise of his legal " jurisdiction, I would resist the usurpation " with my strength, and bones and blood. " Why was any danger to the House of " Commons or the Country to be antici- " pated *by a sober appeal to the judgment of* " *the Laws?* If his noble and learned friend " and his brethren the Judges had no ju- " risdiction over the Privileges of the " House of Commons, they would say they " had no jurisdiction. If they thought " they had, they would give a just decision " according to the facts and circumstances " of the case, whatever they might be. " These facts and circumstances are con- " sidered, however, too clear for inquiry; " yet the King's Attorney General and a " Member of the House of Commons, " when called upon by the Serjeant for " advice upon the subject, was obliged, " and most properly, *to admit that there* " *was no precedent to be found for his forci-* " *bly prosecuting, and that if death ensued he* " *could not undertake to insure him against* " *a conviction, and an execution for murder.* " Was this the character of an immemo- " rial and an *acknowledged* jurisdiction? " But it was said that there was an end of " the Privileges of Parliament if they must " pray in aid the King, or any other au- " thority, to support their jurisdiction. " Yet, in the very instance alluded to, " they were *obliged to pray in aid the king* " —not of his *laws* indeed, to which the " people would have paid the most im- " plicit obedience, but of *his bayonets*, " which, when contrary to law, they " would resist. He desired to warn their " Lordships against too hasty a resort to " force, until right had determined its ap- " plication. It was a dangerous resort, " which never could be necessary in the " government of the British people, when " the laws were on the side of authority; " let the laws speak first, and if they were " disobeyed, the people, instead of resist- " ing, would obey, and execute them " themselves. There was another view in " which this question must be looked at. " He was giving no opinion whatever on " the subject, but stating only the ques- " tion. Suppose there should be *positive* " *statutes* upon this subject, before the " possible origin of any jurisdiction of " the House of Commons—it was con- " tended that there were—he was still " giving no opinion; but was it not open " to the subject, if he were advised to " plead such statutes in bar of the privi- " leges in the cases contended for? and " could any authority but a Court of Law " overrule such a plea? could the Com- " mons themselves resist the effect of such " Statutes, to which they were parties? " There might be Statutes, indeed, on such " a subject, which, except in form, wanted " no judicial cognizance, because every " man could read for himself. If a written " law would bear two interpretations, and " the worst interpretation had been given " to it by a series of decisions, that worst " interpretation was undoubtedly the law; " *but where a statute spoke a clear, plain,* " *unambiguous language, the people had a* " *right to the protection of its letter, and they* " *ought to insist upon that protection.* The " Parliament might *repeal it*, but whilst it " was a statute, neither the King, Lords, " or Commons, or all three of them, had " any dominion over it. It might appear " he was putting an almost impossible " case; but on that very ground he had " defended from death the subjects of this " country, and perhaps more than *them;* " their Lordships might not have been " sitting to-day to hear him, if upon these " grounds he had not successfully de- " fended the dominion of the laws. He " was then told that a conspiracy to levy " war against the king was treason, as an " attack upon the natural life of the king; " he had said, No! because the statute of " Edward 3. under any interpretation, had " said No also. He was told that Lord " Hale and Lord Coke were against him; " to which he had answered, irreverendly " perhaps, but in other respects rightly, " that their authorities were no more " *against a positive, unambiguous statute,* " than so many large flies buzzing against " a wall; and so he should for ever main- " tain. Lord Erskine here said, ' *I would* " ' *rather die, my Lords, than submit to any* " ' *dominion but that of the law.* ' I know " ' the law upon this subject, my Lords, as " ' well as any of your lordships; it is im- " ' possible I should not; and it would " ' be criminal to surrender or even to " ' withhold my opinion.' If he had been " warm upon the subject he must be par- " doned; he could not alter his nature— " what he had ever been through life he

"must be to-day; what had been the "character of his mind and understanding "must continue to be its character. He "made no apology to his noble friends "for this expression of his opinion. They "would little deserve the character they "justly had in the country, if they were "capable not merely from courtesy but "even from confidence and affection to "compromise opinions upon such grave "and important questions. He was most "sincerely attached to the principles of "those with whom he had so long acted, "and particularly to his two noble friends, "whose unquestionable integrity and su-"perior talents entitled them to the great "station which they must ever hold in "the opinions of mankind. It was to se-"cure that pre-eminence that he made "these observations, because he knew "that nothing could ever secure con-"tentment and happiness in this coun-"try, but the PROTECTION AND DOMINION OF THE LAW."—— These are the true doctrines of the Constitution of England. May they be, by her courts of law, for ever established! ——I cannot help pointing out to the reader, how complete my lord Erskine's answer is to the doctrine of the two noblemen who preceded him, as to the degradation of applying to the crown for support. They said, that to apply to the king (meaning to order the Attorney General to prosecute) would be degrading to the Honourable House. Aye, said my lord Erskine, but they *have applied to the king*; not for the aid of his *laws*; but for the aid of his *bayonets*.——There was no answer to lord Erskine; and to answer him was impossible.——The two noblemen seemed to have forgotten, besides, that, in the case of MR. REEVES, the Honourable House did apply to the king for the aid of his Attorney General. A *jury* declared Mr. Reeves to have committed no crime, and this was urged by Mr. Sheridan as *a reason* why the house should *not* proceed in the same way again!——But, *why* need the Honourable House, if it does really esteem it a degradation, apply to the crown? They have the power to employ any other legal person as well as the Attorney General to act for them; to prosecute for libels against them; and, therefore, this argument seems to have not a more solid foundation than the others that has been used in defence of the exercise of the dreadful power in question.——The following paragraph, in the Morning Chronicle, of the 9th instant, is so excellent, in every respect, that I cannot refrain from inserting it, and, in so doing, I am sure I shall give great pleasure to the reader.—— "In all times of danger to the Constitu-"tion, as we stated yesterday, great au-"thorities have risen up to preserve the "dominion of the Laws, against over-"strained assumptions of power. Thus "Lord HOLT, in the beginning of the last "century, when threatening resolutions "were passed to stop the jurisdiction of "the Courts of Law in a question of Privi-"lege, maintained with such powerful "dignity the authority of the Law, as "compleatly to preserve the rights of the "subject. Thus, on the memorable oc-"casion of general Warrants, did Lord "CAMDEN assert the illegality of the pro-"ceeding. And thus has Lord ERSKINE "now, with the same constitutional spirit "which animated his eloquence when de-"fending the subject at the bar, stood up "to maintain the *dominion of the law*, as that "alone which Englishmen can recognize. "His speech in the House of Lords, on "Monday, will be held in reverence while "the liberties of these kingdoms shall be "dear to our memories, even if we are to "be doomed to think of them only as a "blessing which is past. It breathed "the true and genuine doctrine of the "Constitution; and we trust will have the "effect of making other Lawyers recon-"sider their assertions."

PARLIAMENTARY REFORM.——In the debate, in the House of Lords, before mentioned, lords GREY and GRENVILLE spoke upon the subject of Parliamentary Reform. The former said, that he *retained his old opinions* respecting Parliamentary Reform, and that *he now thought this reform more necessary than ever*. But, he disapproved of "*the clamour*," now raised against the parliament altogether, and, in this, at least, lord Grenville agreed with him.—— The *City-Jobbers*, who are signing, at what *rate* I know not, a Declaration against the proceedings of the LIVERY, say, too, that "attempts are industriously made to vi-"lify and degrade the *legislature* by the "most *unfounded calumnies*."——Now, in the first place, the Honourable House is not the *legislature*, and no complaint has been heard against either of the other branches. In the next place, that which is *true* is not *calumnious*, falsehood being an indispensible ingredient in the composition of calumny.——But, before I go any

further, let me take the whole of my lord Grenville's speech, as reported in the Morning Chronicle.——"Lord Grenville "entirely concurred with his Noble "Friend (Earl Grey) and expressed his "deep regret that any persons should "have been so *deluded* as to attack the "powers and privileges of parliament, upon "which depended the very existence of "the Constitution, and the welfare and "prosperity of the country. To Parliament the people were indebted for their "liberties, for their prosperity, and for all "the advantages they had hitherto enjoyed. Take away the powers of Parliament, and these deluded persons who "now clamoured against them would soon "find that the liberty and prosperity of "the people would cease to exist. It "was through the means of the Parliament that the liberty of the people was "first established; it was by Parliament "that that liberty had by wise and wholesome laws been placed upon a firm and "secure basis, and like their ancestors "they ought to *rally round Parliament to "preserve its authority inviolate;* for were "it to be deprived of those *privileges* "upon which depended its power and "dignity, to what source could the people "look for the maintenance of their own "privileges and their own liberties? "They could indeed hope to derive little "aid from the Crown if once the privileges of Parliament were gone. The "Noble Secretary of State might attempt a defence of Ministers, but it "was to their misconduct that much of "the evil that had arisen was to be attributed. *They had violated the Constitution on their first entrance into office, "and had ever since been acting in contradiction to the best interests of the country.*" ——Well, but, if this latter part of the reported speech be *true;* if the present ministers did really "*violate the constitution* "upon their first entrance into power, and "have *ever since been acting in contradiction "to the best interests of the country;*" if, as my lord Grey asserted, the present ministers are "men without system, without "plan, existing only by expedients from "day to day; men who have endangered "the best interests of the country; men "whose proceedings are so *iniquitous,* that "to *support them would be a breach of trust "and of duty*" in Lord Grey and others: if this be the case; if these assertions, in these reports of speeches, *be true,* is it very consistent with justice to accuse the people of *clamour* and *folly* and *factiousness* for being dissatisfied with the House, who have approved of *all* the acts of these same ministers, and who do still support these same ministers? Mr. Ponsonby called these ministers "the *Demon of England;*" and, are the people to be called "*deluded,*" because they wish for a reformation in that House, by whom these ministers have been, and are, *supported,* and will still be supported, in spite of all Mr. Ponsonby and his two noble friends can say to the contrary?—The ministers, indeed, might, with some shew of argument, complain of the "clamours" (if they will call them clamours) of the people; but, as to "*the "gentlemen opposite,*" they who have, in fact, *called upon the people* to complain. They did, indeed, desire them to complain of the *ministers;* but, the people, "deluded" as they are, were not fools enough to be deluded into that. It would have been as stupid as it would be to prosecute, not the man who stabs you, but the dagger, with which he does it.—— Lord Erskine has declared for *a Reform of Parliament.* It must give every one great pleasure to perceive this. Mr. Erskine, his son, made the declaration for him, it seems, at the last meeting of the Whig-Club. This is very important. Others will and must follow; and, in spite of the Boroughmongers, the Reform we shall have.——But again, I say, *no haste.* Follow the advice of our leader: seek reform, as he says, in his Answer to the Middlesex Address, by "*quiet, easy,* and *peaceable* means."—There is no occasion for hurry. The whole nation, those excepted, who, in one way or another, live upon the taxes unjustly, wish for a Reform. They are convinced, that nothing else can save the nation from destruction. But, why do I talk of *opinions* and of *wishes?* The *taxing-papers* and the *paper-money* would, were the whole national wish against the measure, produce that measure; though they might produce along with it a very serious convulsion.—Sir John Anstruther, who has lately been a *judge in India,* under Lord Wellesley, but who is now a member of parliament, and "one of *the "gentlemen opposite,*" is in the report of a late debate, said to have spoken thus:—— "Sir J. Anstruther urged the opinion "which he had before expressed, that "the House ought to have the privileges "of which some men would deprive them, "or their authority would cease. As to "the Ministers, he did say on a former

"occasion, that if they had *an hereditary* "*permanent tenure of their offices*, he would "still maintain them *against the principles* "*of those who contested the privileges of that* "*House*. For certainly, if the question "were put to him, whether he should sup- "port those Ministers, *however unfit for* "*their offices*, and of that unfitness *he was* "*fully persuaded*, or consent to the direct "*overthrow of the constitution*, he could have "little hesitation in deciding which course "to take. If there were no other alter- "native than that of supporting such Mi- "nisters with *all their inefficiency*, or ex- "posing the country to the *danger of re-* "*volution*, he believed there were few "rational men who would not concur "with him in defending the Government "even under their administration."—— Now, the mistake of the late Judge, is, those who wish for the protection of law, of courts and of juries, do not wish for a *revolution*. England has had one *revolution*, and though that was, and, even to this day, is, styled a "*glorious*" event, God defend us from another! No, no: we do not want to "*overthrow* the constitution:" we want, as my lord Grey says, to restore what time, or, rather, corruption, has eaten away. We want to put an effectual stop to *the selling and buying of seats in the Honourable House*, a practice which Mr. Ponsonby "declared to be as notorious as "the sun at noon day;" a practice, which the Speaker, not a year ago, said he had heard avowed "within the walls "of the House;" and, at the very mention of which, he said, "our ancestors would "have started with indignation." This is what we want; and this is what we never will be content, and never cease from our labours, till we have.——I am aware, that there are men, who would join any body; who would call in any sort of aid, and from any quarter, rather than yield the point; and, I am, therefore, aware, that it behoves the people, and the king too, to be upon their guard in this respect. Those who have so long fattened upon the trafficking in seats, and who, in general, have all their dependence upon such traffic; this boroughmonger crew would see England sunk for ever, all her statutes scattered to the winds, rather than abandon the traffic. They care not what becomes of the country, unless the country will suffer their trade to remain. But, though they may do some desperate deeds, they will not finally succeed. The work of the Reform will go on in spite of them; and England, once more loosened from their degrading trammels, will again be great, free, and happy.

CITY OF LONDON MEETING.——I could wish to give an account of the proceedings at this Meeting; but want of room prevents me even from inserting (but which I certainly shall do in my next) the *Resolutions* and *Petition* agreed to at the Meeting, and which documents, after having been, in our day, read with the pleasure they are so eminently calculated to excite, will go down, I trust, as a lesson to our children's children.——The Petition was presented to the Honourable House on the 8th instant, and an interesting debate ensued upon the question for its being laid upon the table. The debate was adjourned, and, of course, without a decision of the question. The objection to the petition appears to have come from the ministers; and, it must be confessed, that MR. PERCEVAL could not be expected to give it a very gracious reception. The *language* of the petition was complained of: it was asserted, that the evident object of it was to *insult* the House. What! any one think of insulting the Honourable House! ——Mr. WHITBREAD defended the petition, and was answered by Mr. PERCEVAL. The former, in answer to an assertion, that there were many of the Livery, who did not agree to the petition, said: "This "was a curious doctrine for one of his "Majesty's Ministers to advance; for "how, he asked, would it tell against his "colleagues, who considered their triumph "complete, because they had a majority "only of thirty-eight on the question of "the Walcheren Expedition? If he asked "where was 'the justice and dignity of "'the House of Commons,' and where "was its justice and common sense, *when* "*a shield was thrown over the delinquents,* "*Mr. Perceval and Lord Castlereagh, who* "*had trafficked for seats in the House*:—was "not the dignity of the House forfeited "on that occasion, and therefore where "was the insult in calling upon it to re- "trace its steps? The House was told "that seats in Parliament were sold; "*could it be denied?* and were the people "supposed to be insensible to the fact?— "He called upon Gentlemen to examine "the Journals, and palliate the offence if "they could. What, he asked, could be "said of the construction of the House of "Commons? A Gentleman had been ap- "pointed Teller of the Exchequer, and "vacated his seat in consequence. He

"was sent back to the county which he "had represented for years, and was una- "nimously rejected; the county returned "another Member, and the Teller of the "Exchequer was *nominated to have a seat* "*in the House by a Peer*. Was it then aston- "ishing that the People were called upon "to examine the construction of the House "of Commons?"—MR. PERCEVAL, as will appear from his speech, was very much nettled at this. He attacked Mr. Whitbread as well as the petitioners and their petition. He said that Mr. W. was setting an example to the discontented. "He is," said he, "prepared to lead such "Petitioners in the way of insult to the "House of Commons, and to tell them it "is the language which they ought to "hold towards this House, and towards "the Constituted Authorities of this coun- "try; undoubtedly, Sir, the Honourable "Gentleman would not only not object, but "be desirous to receive a Petition, which "he would be desirous of presenting; "and, therefore, I conceive, that the ar- "gument and the observations of the "Honourable Gentleman are grounded on "sentiments which will not have any "great weight with any considerable "number of individuals in this House, "with whatever violence he may be "pleased to urge them, of which violence "we have had a specimen to-night; for, "indeed, he says, that on this side of the "House there have been various means "used, which are *calculated not only to* "*bring this House into difficulty, but also to* "*bring this country into difficulty*; that we, "on this side of the House, are not men "who will be *able to fight the battle against* "*the foe*—I know not who the foe is to "whom he alludes, but if this battle is to "be fought *against the discontented part of* "*the Livery of London, or of any other dis-* "*contented Petitioners*, I trust, we shall be "ABLE TO FACE THEM, even if we "should have to contend with them and "the Hon. Gentleman at their head; but "whatever may be the *fate of that battle*, "I trust that we shall have spirit enough "in this House to resist, and to shew to "the *discontented*, even if they should be "headed by that Hon. Gentleman him- "self, we shall not be appalled."—This is a very curious phrase, this phrase of "*discontented* petitioners." I do not know, that I ever heard it before, even from any one in the Pitt school. Of "contented petitioners" the petition would, of course, be agreeable. And so, then, we obtained, or secured, for ourselves, at "the *glorious* Revolu- "tion," the right of presenting petitions, expressive of our *contentment!* Oh, glorious work! God defend us, as I said before, from another Revolution! But, to come to that part of Mr. Perceval's speech, where he speaks of the insult to himself. —"Having," says he, "charged us "with doing that which no power under "heaven can make legal, they say, that "they *are not surprised that you should have* "*done* so, considering how this House *is* "*constituted*, and that they cannot help "expressing their *indignation and disgust* "*at such an House of Commons*. Why, "Sir, is this language which any gentle- "man can doubt was intended as an insult "to this House? And when they affect "to *adorn* us with the epithets HONOUR- "ABLE and RESPECTABLE, *can any man doubt* "*they mean to insult us*, under the mask of "humility—under the phrase of "hum- "ble conception,"—and the like. But "some gentlemen seem to think that this "Petition was proposed to be rejected on "account of it referring to matter, in "which *my own conduct is concerned*. I "think Gentlemen will hardly persist in "saying so, when they remember that the "Westminster Petition, which was re- "ceived, had observations reflecting on "myself, and which did not, on that ac- "count, prevent me from assenting to its "reception. We have received a Peti- "tion from the constituents of a person "who is gone to the Tower, when there "was hardly time to deliberate on the "subject of it, but although the Petition "was objectionable, yet it was thought "improper to be captious, and the House "received it; but is it the same thing "when this course is to be pursued *day* "*after day, and week after week*. Is not "this a design manifested on the part of "these Petitioners to offer indignity to "this House. Sir, there are *certain mis-* "*chievous persons employed in this pursuit*, "and the purpose is to vilify and degrade "both Houses of Parliament, and *to be-* "*stow particular praises upon the Throne*, "under the hope, thereby, the more suc- "cessfully to degrade the other two "branches of the Legislature; and, I am "sorry to say, *there are persons in this* "*House, who are desirous to assist them*, and "who are desirous of using the strongest "language that can be used by way of "holding out an example to others."—To this Mr. Whitbread answered: "The

" Chancellor of the Exchequer says, that " it is the intention of these Petitioners to " insult this House; I say that the view " which the Right Honourable Gentleman " takes of that subject, is erroneous—But " the Right Honourable Gentleman has " been pleased to say, that I speak in " bitter language of the dignity, or want of " dignity of this House—or of the justice, " or of the want of justice of this House, " or rather of the *criminal injustice* of this " House.—I say these words are necessary " for me to convey the idea I have of the " want of dignity, as I apprehend, of this " House; the idea I have of the want of " justice, or rather *criminal injustice* of this " House.—*I will tell the House of Commons,* " *that, to the day of my death, I will fight the* " *cause of the people in the House of Com-* " *mons, against the House of Commons; when* " *they do not give due attention to the interests* " *of the people;* and I do know that I am " speaking the language of truth, as I " feel it, when I speak of the injustice of " the House of Commons; and either in " this House, or out of it, will I speak it." ——Mr. PERCEVAL does not appear to have had leisure, upon this occasion, to *wipe away the charge that* MR. MADOCKS *preferred against him.* There was not time, doubtless. But, really, there is one part of the Honourable Chancellor's speech, which is eminently calculated to alarm one. He is reported to have put this question to the House: " When they (the *discontented* petitioners) " affect to " adorn us with the epithets *honourable* and " *respectable*, can any man *doubt*, that they " *mean to insult us?*" What! Do I read right? Do I see what I read? One must take care what one is about, then. *Insult* conveyed in the epithets *honourable* and *respectable?* What! what is one to do, then? What is one to say? If this is the case we may shut up the book. *Honourable* and *respectable* necessarily imply, or mean, something *degrading!* Why, what should make any man think so? What should make any man suspect it?—— There is no such thing as explaining this; and, therefore, I will proceed to a remark or two that I have to offer upon the declaration of the *City-Jobbers.* Their " declaration," or protest, is an old trick new-vamped. They themselves are some of the same persons who composed Pitt's *Addresses;* and they were all the immediate descendants of the *abhorrers* in the reign of Charles II. But, unluckily for the success of their present operations, they have not *the means of exciting alarm.* There is no revolution going on in France; there are no political clubs or societies in England; it is *the general conviction of the people* that speaks; and the people want " *nothing new;*" no revolution; no innovation; nothing but the well-known laws and constitution of England. So far are those, who wish for reform, from bearing any regard for, or partiality towards, the *foreign foe,* that they detest him as a despot, who punishes according to his absolute will, who keeps the people in awe by a military force, and who insults them with the mockery of representation. The Boroughmongers and their hirelings would, I dare say, give their eyes for a plot. But, no plot will they find. There is no disposition to plot or conspire; nor is there any occasion for it,——We who call for reform are the king's best subjects, because we wish to remove every thing that is unconstitutional, and thereby to strengthen the throne. In the report of his speech, Mr. Perceval is represented as finding fault with the Reformers, because they " bestow *particular praises upon* " *the throne.*" What next? What shall we be accused of next? No: it is not " particular *praises*" that we have, as far as I remember, bestowed at any time upon the throne; but, we have, or I, at least, have, invariably asserted the just rights and prerogatives of the throne, and these I know to be absolutely necessary to the safety of the people. Every act of borough-mongering; every act by which the rights of the people are violated, is so much done against the throne; and, I say, and always shall say, that the king and his family have as strong, and stronger, reasons to wish for Parliamentary Reform than any of the people have.——No: the *city jobbers* cannot conjure up a plot; and, unless they do that, they do nothing. They cannot again cajole the people into a belief, that there is danger from *Jacobinical principles.* They would, had not a *little misfortune* deprived them of him, have had noble assistance from JOHN BOWLES, who would have fought hard for a revival of the Anti-Jacobin trade and calling. But even John would not have succeeded. Common Sense has resumed its sway. Buonaparté has made a Queen of the King's eldest daughter, and has married a daughter of our ancient and faithful ally, the Emperor of Germany and king of the Romans. There is, therefore, alas! no means of getting up a jacobinical plot;

and the City-Jobbers and their natural allies, the boroughmongers, may hang themselves in despair. It is necessary, however, for the friends of Reform, to be *patient*, not to suffer themselves to be irritated into violence of any sort, being assured, that what they wish for *must come*. ——I have taken for my motto a paragraph of news, respecting the surrounding of London with troops. I hope, that this is not true; and, indeed, I cannot believe it to be so. I have, by way of reminding the ministers of the inutility of employing troops to keep down popular discontent, quoted a passage from our own history. It is a measure that never did yet succeed, and I do earnestly hope, that it will not now be attempted. What a fine figure, in that case, would this nation present to the world?——Now, now, in spite of all that the desperate may whisper in their ear, now, *even now*, is the time for the ministers to close with the people; to conciliate them; to give them reasonable satisfaction; to hear their complaints with patience and with kindness. Thus may a world of expence be saved; and in all human probability, very great and lasting discontents prevented.

WM. COBBETT.

Botley, 10*th May*, 1810.

NARRATIVE,

Relating to Mr. O'Connor.

The public will not have forgotten, that, at the time when the forcible entry was made at Sir Francis Burdett's house; at the time, when *the army was called forth to execute the Warrant of the Honourable House*; at the time when the soldiers, in pursuance of this object, entered Sir Francis's dwelling, forced this true Englishman's Castle, and, with muskets loaded, bayonets fixed, swords drawn, and the match at the touch-hole of the cannon, succeeded in forcing him to a prison; at that time Mr. Roger O'Connor was in Sir Francis's house.—The public, or, at least, that part of the public, who have been, for the last fifteen years, in the habit of attending to political matters, know, that about thirteen years ago, Mr. Arthur O'Connor, a younger brother of Mr. O'Connor, was charged with treasonable designs; and, after some vain attempts at producing a legal conviction of him, the government of Ireland entered into a treaty with him, agreeing to drop all proceedings against certain of his friends, and to put a stop to the works of the army against the people to whom he was known to be attached, upon condition of his giving them whatever information he might possess, relative to the views and resources of the people in insurrection, and upon the further condition of his emigrating to any country not at war with England. In consequence of this treaty Mr. Arthur O'Connor emigrated, and is, at this time, understood to be the conductor of a celebrated print, called the Argus, published at Paris, in the English language; a print which, it is supposed, and, perhaps, truly, has done, and is doing, a great deal of injury to this country.——When the peculators and boroughmongers and their abettors are hard pushed; when they are driven into a corner; when they have no defence to offer, and when even their arts of shuffling and lying and false swearing and canting fail them; when thus hemmed up, they have (as the attentive observer must well know) always recourse to charges against those who are their exposers; against those from whose powers of detection and exposure they meet with annoyance. These Public Robbers, like private robbers, and, indeed, like real criminals of every sort and description, always, instead of thinking about their own defence, think about nothing but of the manner, in which they shall attack the *motives*, or the *character*, or both, of their accusers. They do not say: "the "charges preferred against us *are false*;" they dare not say: "the things alledged "against us *are not crimes*." But, unable to deny either the criminality of the deeds or that those deeds have been done by them, they say nothing at all about the charges against themselves, but fall to the preferring of charges against their accusers; charges, too, which have nothing in common with, which have no sort of connection with, the charges preferred against them, and which they do not attempt to repel only because they cannot repel them.——In default of *truth*, they never scruple to resort to *falshood*, in these their charges; but, their more common way is to make up that sort of mixture of both, which, when applied to a purpose like that here spoken of, is called *misrepresentation*, and which is, perhaps, the basest of all possible modes of hostility.——To this mode of attack the Boroughmongers and their hirelings had recourse, upon the occasion of Sir Francis's Commitment to the Tower. They saw him in prison: they saw that physical force had prevailed over him. This they would have liked

well: this would have delighted them: this would have flattered their guilty souls with a promise of a cessation, at least, of those deadly hostilities, which Sir Francis, at the head of the people of England, and of the whole kingdom, was waging against them. But, they saw; to their inexpressible mortification, they saw, at the same time, that the *soldiers had been called out;* they saw, that horse, foot, and artillery had been marched to London; they saw that it required *an army*, aye, *a larger army than, I believe, we have now in Spain and Portugal*, to take the unarmed Sir Francis to that prison, to which a vote of the Honourable House had doomed him; they saw, that it required THE CO-OPERATION OF THE ARMY to enforce *the Orders of the Honourable House* against the avowed and well-known enemy of injustice, cruelty, corruption, and public robbery. All this the Boroughmongers and their hirelings saw; all this they knew right well the nation and the world would see too; they were fully aware of the effects of such notorious and striking facts; they knew well, they felt, they were taught by instinct, that, in minds even the least cultivated and accustomed to reasoning, the right, the true, the inevitable, and (to them) the dangerous conclusion must be drawn from those facts, and, in due time, be acted upon, unless the public could, by some extraordinary effort, be instantly misled by falshood, or intimidated by alarm.——Accordingly, soon after the commitment took place; soon after the Piccadilly Expedition had been crowned with success, the Boroughmongering crew set to work, in their vehicles of falshood. First they would fain have persuaded the world, that it was nothing but "a *contemptible rabble*," who opposed the imprisonment of Sir Francis; but, then, there was *the army;* there were *the cannons* planted in the streets and squares; there were the *armed boats* brought up the Thames and stationed opposite the Honourable House. There was no getting rid of these facts; and, unless they could be gotten rid of, it was, the Boroughmongers saw, in vain to attempt to cheat the world into a belief that the friends of Sir Francis were "a *contemptible rabble.*"——The next fetch was to accuse the friends of Sir Francis with *violent* and *murderous* actions; with firing off pistols, in the streets, at the army; and with having formed a design to block up the ends of streets and tumble down the bricks and tiles upon the heads of the army. If this had *been true*, it would have afforded nothing in support of the assertion of the friends of Sir Francis being a "*contemptible rabble;*" but it was notoriously false; and we have now pretty good proof of the falshood in the failure of the offer of 500*l.* to bring forth any evidence of a transgression of the law having been committed by *the people*, while it has been proved upon the oaths of two juries, that some of the *Life-Guards* did commit *wilful murder*, upon two, at least, of the people. There is no getting over this. Soldiers are sent to aid in executing an Order of the "*Representatives of the People;*" and, in this execution, the said soldiers commit *murder upon the people;* while it has not, in any case, been proved, that the people, though some of them were murdered by the soldiers, committed any act of violence upon the soldiers.——What, then, were the Boroughmongers and their hirelings to do? Why, resort to their old expedient; namely, abuse, defame, vilify, the persons, by whom this exposure had been produced. For this purpose the accident of Mr. O'Connor's being in the house of Sir Francis, at the time of its being broken open, was eagerly seized on, particularly by one writer, who, in his conduct upon this occasion, has discovered a degree of malignity and of cowardice rarely to be met with even in the crew to which he belongs, and never to be found in any other description of men. ——The baseness of this man's attack upon Mr. O'Connor is truly unspeakable. No words can do justice to it. It was not merely a wanton attack; Mr. O'Connor was not only an unoffending party in this case, and it was not only attacking him for the alledged crimes of his brother, *since he left the kingdom*, as well as while he was in it. In addition to all this there was the reflection that the assailant was favoured by *a strong popular prejudice*, existing in England, against the very *name* of O'Connor; and, the assailant, however deficient in point of understanding and talent, had *cunning* enough to perceive, that this prejudice would, in some degree, at any rate, work for him and his abominable cause.——There was, however, something so detestably unjust in the attack, that very few persons were influenced by it. Detestation was the feeling that it generally excited; yet, I could not satisfy myself that I had done my duty, without bringing the case of Mr. O'Connor fully before the English public; and, therefore, for the purpose of doing which, I

begged him to furnish me with a Narrative of what had passed in respect to accusations against him by the government, which Narrative, indeed, I was the more anxious to possess, from having heard that liberal-minded, kind, and honest man, DOCTOR LAWRENCE, say, that never was treatment more unworthy than that which this very Gentleman had received, and, concerning which treatment, the Doctor sent me some papers, during the administration of Mr. Fox and Lord Grenville. This circumstance naturally gave a spur to the other motives, which led me to desire to possess Mr. O'Connor's Narrative, which having obtained, I here present it to my readers *in his own words.*——Upon reading this Narrative, where is the just man, who will not join me in execrating the recent attempt to excite, to renew, a suspicion of his character and his motives? Well may he set out with observing, that the people of England *know worse than nothing of Ireland.* But, this is not strange: "Divide and oppress," is an old maxim; and, it would be strange indeed, if this maxim were forgotten by the Boroughmongers and their hirelings. Hence the never-ceasing calumnies upon the Irish people. Who, upon observing the manner, in which Mr. O'Connor has been spoken of, since the affair of Piccadilly, would not imagine, that he was a *low, desperate adventurer,* or, at least, a man *living upon* Sir Francis; a sort of hireling patriot; in short, a man almost as despicable as if he were a tool, a gulper of false oaths under a Boroughmonger; almost as despicable as if he were a journeyman in the work of corruption. Yet is Mr. O'Connor a gentleman of ancient family and of independent fortune, having his possessions in lands, being one of the *owners* of his native country, and having, of course, all the motives that a man can possibly have for preventing that country from being robbed, for *preventing property from being taken from the owners,* of whatever description the *robbers* may be, or under whatever name they may approach. ——With this preface I shall submit the Narrative to my readers, beseeching them to reflect, that Irishmen are not only *men* as well as themselves, that they have not only *feelings* as well as Englishmen; but that Englishmen possess no *rights,* to the enjoyment of which Irishmen are not *fully entitled,* and that, to deny this proposition is to declare open war against the people of Ireland, and fully to justify every act that they have, or may, commit in hostility to England; a denial, therefore, which no one but a traitor to his king and country will ever attempt to make.

MR. O'CONNOR'S NARRATIVE.

"From a desire to make the people of England acquainted with Ireland, of which they know worse than nothing, receiving as they do, all their accounts through the medium of a description of persons, in the constant habit of calumniating that people; and from a wish to give the people of England the means of forming a judgment between the government of Ireland (during the residence there of Lords Camden and Cornwallis) and me, it cannot, especially at this moment, be thought obtrusive in me to lay before a just, but prejudiced public, a faithful Narrative of those facts, which took place in my particular, commencing on the 27th of December 1796, and ending on the 8th of May, 1803; a space of nearly seven years, during the whole of which time, a continued fire of persecution was kept up at me. Connor Ville, the former place of my residence, is situated about 14 miles from Bantry Bay, where a French fleet made its appearance on the 23d of December 1796. To oppose a landing of the troops on board this fleet, about 5,000 of the Irish Militia had advanced and occupied the villages about me. For the manner in which my tenants, my friends, and myself treated these men, I refer to the panegyrics in the houses of parliament in England and Ireland at the time. We cheered them in their distress; we administered to their wants, of which they had no ordinary share.—On the 27th of December about 9 o'clock at night, such a hideous night as my remembrance cannot parallel, I was informed that my porter's lodges were full of soldiers, in quest of quarters. I went to them. They were in a sad plight. I found them to be two companies of the Wexford militia, with seven or eight officers. Day or night, rough or smooth, my countrymen were welcome to me.—I had then a large house, well stored. I was in the midst of plenty; full of happiness. I brought all the men to my house. My mind has no register of the time they remained with me, nor what I did for them. My tenants were very good to those with them. My friends, (that was the whole country far and wide) opened their doors to this native army; let them want for nothing; and even when

the terror of invasion had subsided, my tenants and myself presented the poor fellows with the billet-money, to which we were intitled, to buy them shoes, and stockings.—I did my utmost to make the situation of the officers as comfortable as possible; and this I will say, that I received from all, more thanks than were due, and experienced their gratitude far exceeding the obligation. I learned afterwards, that these officers, (strangers heretofore to me,) had been directed by some agitators, to my house, in the expectation of my not admitting them, which was the opinion also of all the officers in that army. I dare say, such of them as live at this day, will acknowledge that they received a more hearty welcome at Connor-Ville, than at the house of the most "*loyal*" man in Ireland; that is, the man that has the largest pension, or most lucrative sinecure, or post in the kingdom. Whilst this division of the army was in their cantonments, in my neighbourhood, when the men lost their muskets, bayonets, and ammunition, which frequently happened, they came to me; I had the things restored to them. The soldiers became attached to me. Long, indeed always, before these events, I had been an object of great jealousy and hatred; I had ever been in the habit of committing a crying sin in Ireland. I had borne myself so to all the people, that they were greatly attached to me. I had appointed arbitrators in every parish, through an immense district, who decided all controversies; the occupation of the petty-fogging lawyer was nearly gone; I curbed the vice of drunkenness; I prevented riots; I did all the good I could. It will not, therefore, surprize any person, in the least conversant with the character or complexion of the ruling factions in Ireland, that I was an abomination to them; and when to these vices, in their eyes, the thanks of the poor soldiers were superadded, my crimes were not to be endured, and I became an object of suspicion and distrust.—In this state of things (the French force having long left the Coast) a young man from my neighbourhood had gone in the beginning of March to see some friends of his at Bantry, where he was arrested for administering the Oath of Union. On being questioned, he acknowledged, that he had received it *from my Steward*, a lad not more than 18 years of age, who was also arrested; and both were conveyed to the prison of Cork, where every means were used to extort confessions from them to implicate me.—They declared, however, that I was the last person to whom they would disclose any thing of the kind.—Their honesty and persistance in truth were called treason to their country, and attachment to me; and a Council was called together in Dublin, at which it was determined, that *I was very dangerous*, and a warrant was issued to arrest me *on suspicion*, the act of Habeas Corpus being, at the time, suspended.—The secret, however, was not well kept. I discovered the plot. I lay down in my own house the night on which I knew that an attempt was to be made to seize on me by a large detachment of horse (attended by lords, esquires, and generals, and their staff); and before they had marched half a mile from their quarters, I was (at a distance of 12 miles) apprized of their having set out. They made their search for me, and a considerable depôt of arms, which they were informed were secreted in the lofts and cellars of my house: neither were there, and they marched back. The next day I wrote to the Judge, who was then holding the assizes at Cork, saying, that, "if "he would *give me assurance of a* TRIAL "*then*, for any thing that could be al- "ledged me, I would go to him, other- "wise that I would not surrender." As he was not authorized to give me the assurance I demanded, and as I preferred the liberty of the common air, and the use of my own limbs, to unlimited imprisonment, I stood out, till the latter end of April, when finding my health somewhat hurt from the manner of my living, particularly from damp, I left home and came to England, on the 27th of April, where I remained till the middle of June, when I received advice from home, that several of my tenants, and others of the poor people to the amount of 51, had been flung into prison, and that two unhappy men had been *induced* to swear against them. The same packet also contained a proclamation, that had been issued by Lord Camden on the 17th of May before, inviting every person to come in and surrender, and give security for the peace, *on an assurance of being no further questioned.* Very happy at the opportunity this proclamation afforded me, to develope the conspiracy against the people in prison, and to aid them in their defence, I returned to Ireland, surrendered myself at Mallow to Lord Kinsale and sir James Cotton, on the faith of the proclamation; performed the terms required of me,

which was to give bail to be of the peace for seven years, of all which I apprized Lord Camden and his secretary, and Mr. Pelham, now Lord Chichester, the 18th of June. From Mallow I went home on the 5th of July; and, on the 14th was arrested by Brigadier Gen. Eyre Coote, at his camp, *whither he had invited me.* Before he detained me, he looked for greater certainty, into his orderly book, and there found, as he said, an order dated the 1st of July to arrest me. On his having done so, he was at a loss what to do with me, and attended me to Bandon, where I was to remain till he should hear from Dublin. On the third day of my stay in Bandon, I received a letter from Mr. Pelham, dated in Dublin the same day I was arrested at the camp near Bandon, 180 miles from town, saying, that Lord Camden wished much to see me in Dublin, and that, if I would comply, I might depend upon my person being perfectly safe from arrest; and that I should be permitted to return home immediately. This letter I communicated to Mr. Coote, who said, that as government did not know of my arrest, at the time Mr. Pelham wrote, he could not let me go till he received an answer from Dublin to his letter, apprizing the government of my being in custody. In a few days he received his orders, which were to send a military officer to attend me, and CAPTAIN ROCHE and I set out for Dublin.—The Captain had a sword, and he had on his sash and gorget. There is a high hill between Bandon and Cork; we alighted from our carriage; it is a place of rendezvous; some 20 or 30 carriers were assembled here; they had not seen r since my return from England. Captain Roche first saw his danger, his sword could not defend him, his sash and gorget could not protect him. I perceived the workings of his mind, a look of kindness from me to him would save his life; I superadded a word of esteem. Captain Roche was not molested. We arrived in Cork that evening, where we halted for the night. A man of the city got access to me. Cork is the place of my nativity, I have friends there; would that every man could say the same where he is best known! I discovered, that it was intended to offer violence to Captain Roche, I prevented it. *I took him in safety to Dublin.* On our way we called at the camp at Ardfinnan, where the Wexford Militia lay. All the officers requested of capt. Roche to tell Lord Camden the services I rendered them, and the thanks they owed me. We arrived in Dublin, and saw Lord Chichester, who liberated me from arrest, and wrote to Mr. Coote that I was not to be molested again. I returned home, and in the beginning of September, I went to the assizes of Cork for the purpose of defending my tenants against the conspiracy before mentioned. I sent them all to their homes, and prosecuted the witnesses, *who were both transported for perjury, to Botany Bay.* I now hoped to enjoy with my family, that peace, to which innocence has always right to expect. I was cruelly deceived. An unsigned, unsworn-to paper, was sent up to the Grand Jury, on the 17th day of the assizes, when two of the judges had left the County, and *a bill of indictment* was found against me, *for High Treason.* On this paper I was arrested, and flung into prison, where *in a dungeon nine feet square,* filthy beyond description, I lay rotting for seven months, never having felt the influence of the sun, nor breathed on by the air, during the whole time; at the end of which, I was conveyed from this dungeon to the court to go through "a trial" upon charges of every species of Treason and Rebellion. Two witnesses were brought up, under a strong military guard. They were sworn. What did they depose? *That they knew nothing of me;* that one of these papers was written without the knowledge of the witnesses; that, when it was read to him, he declared it to be false, and refused to swear to it; that he was offered £. 300 a year to swear to it, and threatened to be instantly shot, if he persisted in his refusal, and he did persist. The other witness swore, that what was called his information, was all written down without consulting him; that, when he refused to sign it, he was threatened to be hanged; and that, at length, he was prevailed on to put his name to it, on his receiving an assurance, that it never was to appear, and that it was only a matter of form.—*I was acquitted instantly.* All the people, all the military, expressed their joy; the judge trembled; he was seen stretching out his imploring arms from the bench to me, in the dock, amongst robbers and murderers; he was heard to cry to me for mercy to protect him; and I did protect him: not a hair of his head was touched. On my being released, I did not return even to my house; I did not even take one day's repose. No; my beloved brother was a prisoner at Maidstone; he is one year younger than I am; we were

reared and educated together; never one day or night apart for eighteen years. The thought of him banished every other idea from my mind; I set off to him that very night; arrived in London in four days, as quickly as I could travel. I wrote to the Duke of Portland for permission to be admitted to my brother; I received his answer, at five o'clock next morning, *by four king's messengers with a warrant to arrest me*; and from my bed was I taken to the house of Mr. Sylvester, and that evening was I taken off for Ireland. We landed about ten miles from Dublin, at night; I saved Mr. Sylvester and the Bow Street Constable, my companion, from a watery grave, and conducted them safe to Dublin, where we arrived at three o'clock in the morning. I now, for the first time since I left London, lay down, and had not been in my bed more than three hours, when Mr. Sylvester awaked me, to tell me, that another king's messenger had, that moment, arrived from the Duke of Portland *to take me back instantly to London.* This was about seven o'clock in the morning; about twelve, Mr. Sylvester informed me, that Mr. Cooke desired to see me at the castle. Mark the instability of fortune.—Behold O'Connor, brought by a constable to have the liberty of being admitted to the presence of *Mr. Edward Cooke!* I did see him; the interview was not of long duration; the conversation was not of many words; but it is important. I asked him the meaning of these proceedings; what post-haste treason I had committed in the four days that I travelled from Cork to London, above 400 miles. Hear his answer, "*We* do not pretend to "have any charge against you; but we "know your power, and suspect your in-"clination; had my advice been taken, "you should not have been brought to "trial in Cork. My opinion was, that "you should have been kept in con-"finement under the suspension of the "Habeas Corpus Act, and it now appears "I was right." Well, that afternoon, about two o'clock, I was obliged to set off back again towards London, where we arrived on the fourth morning, having been forced to perform journies of nearly 1,200 miles, and cross the Irish sea three times, in thirteen days and nights, during the whole of which time I never was permitted to take off my clothes, nor to lay down *for more than seven hours!* I was kept in custody at the house of Mr. Sylvester till my brother's acquittal at Maidstone, when we were both taken to Dublin, where we were lodged in the same prison room, on the 2nd of June, 1798. In July a special commission was opened in Dublin, for the trial of all those against whom any charges had been exhibited; amongst whom neither my brother nor I were. Three had been executed. Mr. Byrne, a relation of the Marchioness of Buckingham, was condemned, and was to be executed on the 24th of July. On Sunday, the 22nd, some *negociation* was set on foot, in a way never yet ascertained, between the government and some of the state prisoners in Dublin, of which it appears that neither my brother nor I had any intimation till Tuesday, when Mr. Dobbs and the Sheriff of Dublin entered our apartment, and shewed us a paper, purporting to be an acquiescence, on the part of seventy-three of the prisoners, to give information of any arms, ammunition, and plans of warfare; and to emigrate, on condition of a general amnesty, and of pardon for Mr. Byrne, who was to die that day, and for Mr. Oliver Bond, who was, at that moment, on his trial, *if he* SHOULD *be condemned.* My brother and I declined entering into any agreement. Mr. Byrne was ordered for instant execution, which instantly took place; Mr. Bond was to die on the Friday. We heard no more of the paper, till Thursday evening late; when the same Mr. Dobbs, accompanied by Mr. Samuel Nelson, one of the prisoners from another of the prisons, came to that where my brother and I lay. All the prisoners were called together; Mr. Dobbs produced a letter he had just received from Mr. Cooke, stating, "that if my brother "and I would enter into a treaty with the "government, by which we should engage "to give every information in our power "of all matters relating to the Rebellion, "and particularly our relations with *foreign states*, there should be a general "amnesty, Mr. Bond should be pardoned, "and we should be permitted to emigrate "to any country not at war with England; "but that, if we persisted in our refusal, "military commissions should be issued in "the north for the trial of the prisoners "there, the *courts should proceed in Dublin;* "and the yeomanry should remain *on "active duty!*" We both refused. We said, *if there are any charges against us,* proceed upon them. Why proceed against others, because we will not enter into any negociation? We went to our own room, whither Mr. Dobbs presently came. He represented to us the dreadful scenes of slaughter and devastation that would

follow close upon our declaration. It appears, that my brother was influenced by these considerations, and to save an unarmed people, he consented to sacrifice himself; but I heard these such proposals and threats with a very different ear. My answer was, *that I set at defiance all their machinations*; that I was ready *to meet any charge that could be brought against me*; but that I never would enter into any agreement with the Castle of Dublin during my life. Nothing now was left unattempted to induce me, by very fair promises, or to intimidate me by the most alarming threats, to sign this agreement. *All were unavailing.* At length MR. MARSDEN came, as if *secretly* and *as a friend*, to let me know what, *by chance*, he had heard at the Castle. That it was determined to *seize my estate*, if I did not comply.—My answer was, that I was prepared against every thing; That I was absolute never to comply. In consequence of which, orders were dispatched to the officer commanding at Bandon, to send detachments of horse and foot to take possession of my house, which they did, to the amount of between 2 and 300 men; They *expelled four of my infant children*, and my servants; the officers broke open my cellars, drank all my wine; they ordered the men to kill my sheep and oxen, on which the whole party subsisted; they converted my iron gates into shoes for their horses; They made firing of windows, doors, and frames of the house and offices; burned all my farming utensils; destroyed my gardens, and the wall trees, the hot-house, green-house, and all the plants; turned all their horses out into young plantations, which were all ruined; stole every thing moveable; and committed every species of devastation for eight or nine weeks that they remained there; For which I never received one penny as remuneration, from that day to this. After this visitation, it was again demanded of me *to sign the paper*. My answer was always the same. Still was I kept a prisoner; and when those who had entered into the agreement were sent to Scotland, I was forced by Justice Atkinson and a company of Buckinghamshire Militia, at the very point of the bayonet, into a coach, conveyed on board a tender, and conducted to Fort George, in which military garrison I was *kept for a year and ten months*, where by *the lenient treatment* I received, I lost the use of my limbs, and was reduced to the very verge of life; at the end of which time I was brought to London, and LET GO on the 24th January 1801, upon a dreadful recognizance to some immense amount, *not to return to Ireland*, and to reside in such part of England as the king of England should, from time to time, appoint (and Middlesex was named) *during the then war*. I took a house at Southgate in Middlesex, where I resided for half a year; but having no land there, I looked out for a place with land, to occupy my time. I found one to suit me at Elstree. As I was a stranger and as the rent amounted to £. 500 a year, I applied to my old friend and companion Sir Francis Burdett, who immediately became my security. There I lived for one year, when, the treaty of Amiens taking place, I was desirous of returning to my own country, and applied to Sir Richard Ford, the magistrate, before whom I acknowledged the recognizance, to get it up. *In vain.* After many fruitless efforts, he, at length, informed me, that it was determined *never* to give it up, as long *as I retained the power of living in the South of Ireland.* I judged it better to part with CONNOR VILLE than be shut out from my country. I got A LICENSE to go to Ireland, and, on the 1st of May, 1803, I let *a lease for ever of the place of my earliest days.* Whereupon, I got up my recognizance immediately. I purchased, for forty thousand pounds, *from Lord Wellesley*, the Castle and Estate of DUNGAN, within a few miles of Dublin, where I have resided with my family ever since, coming over occasionally to visit Sir Francis Burdett and a few other friends in England, where, *though I have estates*; I have never been known, directly or indirectly, to interfere in any concerns of the country. I never attended a public meeting or a public dinner; though I have many friends, I seldom associate with any one but Sir Francis Burdett and his family.—My fortune is ample; and, neither I nor any one of my family, ever eat one morsel *that was not produced from our own estates.* We never received any of the people's money, in the shape of pensions and places, nor was any man's meal or comforts ever diminished by one of us. Surely then, I must be *a most disloyal Traitor!* In fine, many, very many, of the people of Ireland love me; the Militia was attached to me. I surrendered on the solemn faith of a proclamation, which faith, towards me, was broken; I protected Capt. Roche; I defended the Judge; I saved Mr. Sylvester and the Bow Street Constable. There is no kind of place that

has not been my prison; my own house, camps, guard-houses, taverns and hotels; castles, wherries, packet-boats, messenger's houses, court houses, bridewells, state prisons (as they are called,) tenders, garrisons, palaces; and, as a prisoner, have I been travelled about from my own house in the south to Carrickfergus in the north of Ireland; from the western extremity of Wales, to Maidstone, nearly the eastern extremity of England; from Dublin to Fort George in Scotland; within forty miles of John O'Grot's house, to London. In mail coaches, hackney coaches, post carriages, and carts; on foot and on horseback. And all because (for I know of no other cause) that, ten years before the French Revolution, I saw the absolute necessity of *a Reform in the Commons in Ireland*, which was acknowledged afterwards by the factions of England and Ireland; and because I would not consent to a legislative Union, which I regarded as equally ruinous to both parts of the kingdom.——On the whole, then, let the people of England, *now that they are in possession of their sober senses*, decide between my accusers and me: whether the laws were infringed by ME, who have gone through every ordeal, who have always courted investigation and enquiry; who for years NEVER CEASED TO DEMAND TRIAL; or by THEM, who sought the protection of a BILL OF INDEMNITY, passed by an assembly of which they themselves made a part."——Such, reader, is the political history, such are the *crimes* of Mr. O'CONNOR: such is the person, to have had whom in his house, at the time when the army stormed it, was, if the public had been still fools enough, to be set down to the account of Sir Francis, and as proof presumptive, at least, that he had wicked designs, designs against the peace and safety of the country! Reader, if you be an Englishman, and have neither job nor contract nor place nor unmerited-pension nor defalcation in your accounts with the public; in short, if you profit from no species of public robbery, say, how should *you* like to be treated as Mr. O'Connor was? How should *you* like this sort of treatment? How should *you* like to have your house, your gardens, your fields, your plantations, laid waste and destroyed, as his were! How should *you* like to be hurried from prison to prison: to be thrown into dungeon after dungeon; and when you *demanded trial*, refused that trial? But, surely, I need not ask these questions. Well, then, is there to be no feeling for him, because he is an *Irishman*? Are we ready to avow this to the Irish people? I trust not; I trust that we shall prove to that unfortunate people, that we feel for them as for ourselves; that we are as ready to resent their wrongs as we are our own; that, in a word, we regard them as our *countrymen*, and that we are resolved to consider *their enemies as our enemies*. This is the way to produce an *union* with Ireland: a *real* union; an union of the hearts of the people of the whole kingdom; and this sort of union it is that the Boroughmongers and their hirelings would wish to prevent. Hitherto, indeed, they have prevented it. They have never missed an opportunity of misrepresenting the people of Ireland. They have caused the people of England to believe, that those of Ireland were bent upon a surrender of their country to France, and that all their demands relating to political and civil liberty, were mere *pretences*. What evils have not sprung from this accursed source!—I beseech the reader to consider, that it is not in nature, that the people of Ireland should not hate us, if we persist in our credence to these calumnies. It is, on all hands, agreed, that Ireland is our *vulnerable part*. Does it not, then, become us to strengthen that part; to use all the means in our power of regaining the good-will of the Irish people, and to induce them to make common-cause with us against the common enemy? And, what can be more opposite to this than reviving the memory of those cruel times, to which Mr. O'Connor's Narrative refers; than tearing the skin from the hardly-healed and hardly-hidden wound! What he has said, he has been *compelled* to say. He has been calumniated in the most foul and infamous manner. To remain silent might have been construed into a consciousness of guilt. His calumniators, therefore, are answerable for the revival of the memory of that, which he was willing should be forgotten, and which nothing but boroughmongering malignity could have induced any one to attempt to revive.

WM. COBBETT.

Botley, May 9, 1810.

Published by R. BAGSHAW, Brydges-Street, Covent-Garden:—Sold also by J. BUDD, Pall-Mall, LONDON.—Printed by T. C. Hansard, Peterborough-Court, Fleet-Street.

COBBETT'S WEEKLY POLITICAL REGISTER.

VOL. XVII. No. 20.] LONDON, SATURDAY, MAY 19, 1810. [Price 1s.

"Petition me no Petitions."
TOM THUMB THE GREAT.

SUMMARY OF POLITICS.

SIR FRANCIS BURDETT AND THE LIVERY. ——The Meeting of the Livery of London was (at page 716) mentioned, in my last Number. The *Resolutions* and *Petition*, agreed to at that meeting, will be found in a subsequent page of this present Number, followed by an account of the procession of the Livery, and by the *Speech* of Sir Francis to them, when they, with Mr. SHERIFF WOOD at their head, presented their Resolution of Thanks to him in person, on the Esplanade, in the Tower.—— Their petition to the *Honourable* House was rejected; it was not suffered to lie on the table of the *Honourable* House; and, a late petition of theirs, relative to the calamitous expedition to Walcheren, was not received by the king; the Livery were refused the honour of presenting it to the king, either on the *throne*, or at the *levee*; they were refused the honour of coming into the presence of the king. Well! They have not been refused the honour of coming into the presence of Sir Francis! They have met with no refusal there. At the Tower they were welcome. ——The manner in which this matter was conducted is so interesting in itself, and may be of so much consequence in the way of example, that I have inserted the whole account of it, as published in the "ALFRED, OR WESTMINSTER GAZETTE," where I find it given in the fullest manner, and where the Speech of Sir Francis appears to have been inserted the most correctly.——To this Speech I need not call the *attention* of any one, it having been already read by every creature in England, capable of reading. Neither need I point out any particular parts of it as worthy of remark, the whole being too plain to be misunderstood, and every word being of importance to the cause of public liberty. It is calculated to have a great and lasting effect; and, for this, amongst many other things, we have to thank the present ministers and those who "rally round them." As I was reading the account of the procession to the Tower, and especially when I came to that part, where a description is given of the manner, in which the Livery drew up, on the Esplanade, to be received by Sir Francis; when I figured to myself this scene of the audience and the speeches, it came afresh and all of a sudden, across my mind, how wise the men must have been, how fit to rule a nation the men must have been, who were the first cause of all this!——There can be no doubt, that the proceedings against Sir Francis were intended to *lower* him; to *humble* him; to *pull him down*; and, indeed, this object was openly avowed, even by those who voted against the commitment to the Tower and for the reprimand. The scheme has succeeded to admiration! ——The public will not have forgotten the celebrated debate of Tuesday, the 10th of April; nor will they have forgotten the effect, which, *for a few days*, that debate produced. Where is its effect *now*? Where was the effect of that debate, when the Livery of London were presenting their address to Sir Francis, in the Tower? Mr. Curwen and Sir John Anstruther rally round "His Majesty's government;" and the Livery of London rally round Sir Francis. This is all very natural; and it is just as it should be. There is great difference in the way of thinking of different men: much depends upon taste, in politics as well as in other things; but, I dare say, that, if Sir Francis had to choose, he would as soon have the Livery of London rally round him, as he would have Mr. Curwen and Sir John Anstruther.——When the Livery and Sir Francis were upon the Esplanade, in the Tower, a reflecting looker-on would have been apt to exclaim: "and "all this is the work of Mr. LETHBRIDGE! "Mr. Lethbridge (who would ever have "thought it!) has produced, in the world, "events like this! Mr. Lethbridge; aye "Mr. Lethbridge, is the father of an era in "our history!"——Not at all. Mr. Lethbridge is as innocent of the whole thing, or of any part of it, as Mr. Dudley Ward or Mr. Robert Ward or Mr. Lyttleton or

Mr. Lamb or Mr. Barham or Mr. Ponsonby or Mr. Wilberforce or Mr. Windham or Mr. Adam or Sir John Anstruther, late Judge in India.——The event has arisen out of the system of government, now in practice, of which system it is one of the natural fruits.——The ministers plan and execute the calamitous, the death-dealing, the unspeakably disgraceful expedition to Walcheren. The Honourable House resolve to have an inquiry into the planning and prosecuting of that expedition, which inquiry the ministry oppose, but which is finally carried. The inquiry being about to begin, Mr. Yorke avails himself and the ministry of the standing order for the shutting of people out of the gallery, by which means the evidence is retarded in its way to the people, and the knowledge of the speeches and questions of the several members is wholly kept from them. Mr. Gale Jones says, in print, that this conduct of Mr. Yorke is *an outrage on public feeling*. Mr. Yorke complains of this to the House. The House put Mr. Gale Jones in Newgate for having used the words. In a day or two after this, Mr. Yorke receives, from the minister, a sinecure place, for life, of 2,700*l.* a year, to be paid out of taxes raised upon the people. Sir Francis Burdett publishes an argument to show that the House has wrongfully imprisoned Mr. Gale Jones. The House order Sir Francis to be imprisoned in the Tower of London. Troops, an army, are sent to aid in the execution of the order. The Citizens of London go in form to the Tower, and thank Sir Francis Burdett for his conduct. Thus, we trace back the cause to the Walcheren Expedition. But, we must not stop there. The cause is further back. It lies in that system, without the existence of which the ministers never would have so planned and so executed that or any other expedition.

Lord Cochrane's Speech. —— The speech of his lordship, made on the subject of the Navy Estimates, on the 11th instant, is worthy of particular attention, and, as such, I shall give it a place here, in the same manner as I did the speech of the Speaker about a year ago.——His lordship deals in *facts*; and, certainly, more striking facts than those here exhibited to the public, it would be difficult to collect together.——The nation grudges nothing to those who really serve it, in whatever department it may be. But it does, at a time like the present, grudge its resources to sinecure placemen and pensioners, who have never performed any services at all; and who do not, because they cannot, pretend to have performed any.——Without further preface, I insert the Speech, which will not fail to *speak for itself*.

"Sir; Indisposition has prevented me from submitting to the consideration of this House, those matters respecting which I had given notice, and the same cause has disabled me from paying that attention to the Navy Estimate, which I should have done, and which I might have done, had this Estimate, completed in Feb. 7, been printed and delivered to us in proper time, instead of a few days ago, for which, however, I suppose, there was some weighty reason. Notwithstanding these disadvantages, enough will probably appear, to shew the nature of the thing, and first, as to the manifest injustice of the Pension List.——An Admiral, worn out in the Service, is superannuated at 410*l.* a year, a Captain of the Navy at 219*l.*; while the Clerk of the Ticket Office retires on 700*l.*——The Widow of Admiral Sir Andrew Mitchell has one third of the allowance to the widow of a Commissioner of the Navy.——Martha, Widow of Admiral Bourmaster, 75*l.*; Mary Hammond, a Commissioner's widow, 300*l.* Elizabeth, Widow of Captain Blake, 60*l.*; Elizabeth, Widow of Commissioner Lane, 300*l.*——Four Daughters of the gallant Captain Courtenay, 12*l.* 10*s.* each; Daughter of Admiral Sir Andrew Mitchell, 25*l.*; Two Daughters of Admiral Epworth, 25*l.* each; Daughter of Admiral Keppel, 25*l.*; Elizabeth, daughter of Captain Mann, who was killed in action, 25*l.*; four Children of Admiral Moriarty, 25*l.* each.——Thus 13 daughters of Admirals or Captains, several of whose Fathers fell in the Service of the Country, receive from the gratitude of the Nation a sum less than Dame Mary Saxton, the Widow of a Commissioner.——This Pension List is not formed on comparative Rank or Merit, length of services, or any rational principle, but appears to be dependant on Parliamentary influence alone; for Lieutenant Ellison, who lost his arm, is allowed 91*l.* 5*s.*; and Captain Johnson, who lost his arm, has only 45*l.* 12*s.* 6*d.*——Lieutenant Arden, who lost his arm, has 91*l.* 5*s.*; Lieutenant Campbell, lost his leg, has 40*l.*; and poor Lieutenant Chambers, who lost both his legs, has only 80*l.* while Sir A.

S. Hammond retires on 1,500 *l.* per ann. ——The brave sir Samuel Hood, who lost his arm, 500 *l.*; while the late Secretary to the Admiralty retires, in full health, with a Pension of 1,500 *l.*——To speak less in detail, 32 Flag Officers, 22 Captains, 50 Lieutenants, 180 Masters, 36 Surgeons, 23 Pursers, 91 Boatswains, 97 Gunners, 202 Carpenters, 71 Cooks, cost the country, 4,028 *l.* less than the Net-proceeds of the Sinecures of Lord Arden, 20,358 *l.*; Camden, 20,586 *l.*; Buckingham, 20,693 *l.*——All the Superannuated Admirals, Captains and Lieutenants, have but 1,012 *l.* more than Earl Camden's Sinecure.——All that is paid to all the wounded officers of the British Navy and to the wives and children of those dead or killed in action, does not amount, by 214 *l.*, to as much as Lord Arden's Sinecure alone, 20,358 *l.*——What is paid to the mutilated officers themselves, 11,408 *l.* 10 *s.* is but half as much.——Is this justice? Is this the treatment which the Officers of the Navy deserve at the hands of those who call themselves his Majesty's Government? does the Country know of this injustice? Will this too be defended? If I express myself with warmth I trust in the indulgence of the House; I cannot suppress my feelings. Should thirty one Commissioners, Commissioners wives, and clerks, have 3,899 *l.* more among them, than all the wounded Officers of the Navy of England? I find, upon examination, that the Wellesleys receive from the public 34,129 *l.*, a sum equal to 426 pair of Lieutenants' legs, calculated at the rate of allowance for Lieutenant Chambers' leg.—Calculating by the pension for Captain Johnson's arm, viz. 45 *l.*, Lord Arden's Sinecure is equal to the value of 1022 Captain's arms. ——The Marquis of Buckingham's Sinecure alone, in the Net, will maintain the whole ordinary Establishment of the Victualling Departments at Chatham, Dover, Gibraltar, Sheerness, Downs, Heligoland, Cork, Malta, Mediterranean, Cape of Good Hope, Rio de Janeiro, and leave 5,466 *l.* in the Treasury.—— Two of these comfortable Sinecures, would victual the officers and men serving in all the ships in Ordinary in Great Britain: viz. in 117 sail of the Line, 105 Frigates, 27 Sloops, 50 Hulks.——Three of them would maintain the Dock yard Establishments at Portsmouth and Plymouth; and, by the addition of a few more, would amount to as much as the whole Ordinary Establishments of the Royal Dock Yards at Chatham, Woolwich, Deptford, and Sheerness; and the Sinecures and Offices executed wholly by deputy would more than maintain the Ordinary Establishment of all the Royal Dock Yards in the Kingdom. To return to this Pension List: I observe that Pensions given by the Whigs to Commissioners, Clerks, and others, whom they forced out to make room for their friends, amounted in 13 months, to about 1,508 *l.* more than the present administration have, by this list, given away in nearly three years that have elapsed since.——And the right honourable Gentleman, (Mr. Ponsonby,) who, two nights ago made so pathetic an appeal to the good sense of the people of England against those whom he was pleased to call designing men and demagogues, actually receives for having been 13 months in office, a sum equal to nine Admirals, who have spent their lives in the service of their Country; three times as much as all the pensions given to all the daughters and children of the Admirals, Captains, Lieutenants, and other Officers who have died in indigent circumstances or been killed in the service! and as much as would pay the Officers and men employed in the fifteen Hulks of the line in Ordinary.——From the minute expences noticed in this Estimate, viz. for oiling Clocks, killing Rats, and keeping Cats, I should have supposed that great care was taken to have it very correct. It was, therefore, with much surprise, I found the name of my worthy and respected Grandmother, the Widow of the late Captain Gilchrist of the Navy, continued on the list, as receiving 100 *l.* per annum, though she ceased to exist 8 years ago!——I shall dwell no longer on this subject than just to notice, that while all this profuse waste of the public money is going on, the Builders in our Naval Yards, on whose ability and attention so much depends, have only 720 *l.* per annum salary, that is only 20 *l.* more than a retired Clerk of the Ticket Office. The petty perquisite of a Silver Cup, given to them when they launched, and thereby added a ship to the British Navy, was taken from them as a saving to the Nation, by the mischievous and contemptible Admiralty of 1802. Such are the pretended savings, by which, when any are made, the Country is duped.—— Were there a prospect of success, I could point out to a Committee of the House

some savings worthy attention.——The Canvas Department (though by no means free) yet, least supported by political influence, is probably, that in which the abuses might be most easily corrected. I will undertake to prove that, by adopting canvas of a better quality, a saving equal to one-fourth of the British Navy may be made—a saving, equal to the additional income tax imposed by the Whigs. The remaining three-fourths of the ships will be more effectual than the whole, their velocity will be increased upwards of half a mile in seven miles; and thus every one will be enabled to capture those vessels which at present escape from them all; as beside its bad quality, the enemy know our Ships of War from foreign Ships by the colour of the canvas, consequently run away the moment they perceive our black sails rising above the horizon; a circumstance to which they generally owe their safety, even more than to its open texture. I have observed the meridian altitude of the sun through the fore topsail, and by bringing it to the horizon through the foresail, ascertained the latitude as correctly as otherwise I could have done. Any man who knows black from white can distinguish the difference, as you will perceive by the colour of the samples which I now shew you.——This (the white) is used by the Spaniards, Portuguese, Dutch, Russian, Danish, American, in fact by all ships except ours. The difference of price has been stated as an object, (contemptible idea!) The paltry increase of cost will be more than compensated by the superior wear of the canvas, independent of its strength, on which, consequently, depends the safety of the ship, and the preservation of the lives of all on board. I shall, no doubt, hear it urged, that a remedy is about to be applied; and so it has been ever since I can remember: but remedies and redress at Public Boards are sought in vain; and so it is with respect to the hardships noticed by an Honourable Admiral, imposed on old and wounded sailors by the Harbour duty; which is justly considered by them as oppressive in the highest degree, more grievous than all the other hardships to which they are subject.—Should the latter days of a life, spent in the service of the Country, be those in which the severest duty is imposed, and that too, when wounds and infirmities have rendered men unequal to the task? One person who contends for its continuance says it is a laborious duty, and must be executed. This reason is conclusive, in my mind, why it should not be imposed on those, whose infirmities have rendered them unequal to the task. No good conduct, or character from his Captain, can, under the present system, free an old seaman from this misery. I well remember the sad case of William Farley, an infirm petty Officer; a man of respectable character, in my own ship, who, I think, had been in 13 general actions, and about 20 years in the service; he was sent to be invalided, that, by a change, his impaired health might be restored, and that he might pass his latter days in peace.—He was condemned to harbour duty, but obtained leave to return to his ship. After a time, being still unable to do the smallest duty in the ship, he was again surveyed: the same decision passed. Whether this happened a third time, I do not recollect; but of this I am certain, that he died on board off Brest. My Gunner's mate (I think his name was Ford) was invalided too for this heart-breaking service, and such was his abhorrence of it, that, by permission of the Lords of the Admiralty, he procured two substitutes, who cost him 90*l.* a sum equal to all that with the greatest œconomy, he could save in ten years from his pay. Is such a recompence for services? If meant as a benefit, as asserted by one officer, it should be optional and not compulsive. If grievances exist, they should be examined into and redressed, that is the mode to prevent bad consequences or complaints. We have heard much about "deluding" the public; an unfounded statement can injure only the individual who makes it. These subjects are worthy of being examined by a Committee of the House, or a deputation; such as was ordered lately to Sombrero.—Although perhaps not immediately arising out of that part of the Naval Estimate, which is before us, I may be permitted to ask why are not the Ships abroad paid, as well as the Army? What inconvenience would result? We scruple not to export large sums for other purposes, less beneficial to the Country than the exertions of our Seamen, whose money is annually included in the Naval Estimate, although it is not paid to them.—The Petty Officers and Seamen in the East and West Indies, Cape of Good Hope, Mediterranean, America, in fact, every where abroad, do not receive one shilling of pay until they are

permitted to return to England, often after an absence of twelve or fifteen years!—The Boston's crew, who formed one half of my Ship's Company, joined the Pallas with nine years pay due, although the Boston had been all that time within about fourteen days sail of England! I should like to know where all this money is lodged?"

Now, what *answer* will be given to this? What will Corruption say in answer to it? Why, that Lord Cochrane is "a *demagogue*;" and will coolly add, that if we do not like this, *we must have Buonaparté.* This is what the corrupt will say in answer to him. They cannot deny the facts; they cannot justify any part of the acts; but, relying upon the cowardice of the public, they will brazen the thing out in the manner I have stated. ——The hirelings of corruption, when you drive them up into a corner, are always sure to resort to their old threat about Buonaparté. They fight you, first, in all manner of ways. They scratch, kick, bite and spit; and, when nothing will avail; when they find that they must go; "well, then," say they, "you shall "have Buonaparté! *You* shall get no- "thing by the change at any rate." Let any one look into the publications of the boroughmongers and of their hirelings, for years past, and especially since the month of March, 1809, when exposure became more efficient than theretofore, and he will find that this has been their constant practice. And, very far am I from believing, that they are *not in earnest.* I have not the smallest doubt, that, if the letting in of Buonaparté depended upon them, they would not hesitate a moment *to let him in rather than see the people of England in possession of the right of choosing freely the members to serve in the parliament.* This is my real opinion, and it long has been my opinion. The sort of persons, whom I have mentioned, and whom the reader need not have more fully described, know very well, that they cannot exist out of corruption. They are vermin who must live in corruption, or who must instantly die; and, they suppose, not without good reason, that Buonaparté would use corruption, and, of course, that he would not dislike them. No love of *country* have they. They love the good things that are produced in it by the labour of others; but, as to the independence, the character, the renown of England, and as to the liberties and happiness of the great body of the people, they are thoughts which never enter their minds. Theirs is a dry calculation of *profit* and *loss;* and, as Buonaparté would give them a much better chance of gain than they would have under a change such as a "demagogue" like Lord Cochrane would introduce if he could, they certainly would prefer the former. This is something well worthy of the serious consideration of the good and sound part of the nation. The miscreants, who, in Spain, sold themselves to Buonaparté, and who are now in the service of his brother, were not less loud against "*demagogues* "and *anarchists*" than the borough-mongers and their hirelings in England now are. In Spain those who railed against anarchists were the very first to join the foreign invader; nay they *invited* him to invade their country; they actually sold it to him; and my real opinion is, that the boroughmongers and their hirelings would, if hard pushed, *attempt* to do the same here, though, I trust, that any such attempt would be frustrated. The sum of what I think, upon this subject is this: that the boroughmongers, and the public-robbers of every size and description, if they saw a change approaching that would *put an end to their trade,* would, *if they had it in their power,* gladly make a bargain with Buonaparté and betray the country into his hands, rather than see that change take place.—— Against this, therefore, it is the interest of both king and people to be upon their guard. Look at Spain. There is an awful example for us. There the Robbers saw, that the people must become free; that a reform in the government must take place; they saw no way of avoiding this, which they well knew would put an end to their power of plundering, and might, perhaps, compel them to disgorge: they saw no way of prolonging the reign of corruption other than that of betraying their country into the hands of Buonaparté; and this they did. The same has, in reality, though not in a manner quite so open, been done in other countries. There has, every where, all over the continent of Europe, been a struggle between the people and those who wronged them. The people have complained and have proved their complaints to be well-founded. They have been answered by accusations of *disaffection, disloyalty, jacobinical conspiracy,* and the like. The people have become enraged and have acted accordingly.

They have been dealt with as insurgents, traitors, and rebels. The French have approached, and, at any rate, tendered the people a change, which it was impossible should be for the worse. The thing here came to a point: the dispute was reduced to the simple question, whether the people should have their *grievances redressed*, or the country should be *delivered up to the enemy*; and, in every case, the latter has been preferred. This is the true cause of the successes and the conquests of France. God avert the effects of such a cause from English ground!

MAJOR CARTWRIGHT'S PETITION.—On the 13th instant a petition was presented to the Honourable House, by Mr. Whitbread, on the behalf, and signed with the name of this veteran in the cause of English liberty. It was *not suffered to lie on the Table*; that is to say, it was not received. The objections made to it by MR. PERCEVAL (and which objections were sanctioned by the votes of a very decided majority of the Honourable House) were, first as to the *language*, and next as to the *length*, of the petition. He said, that "from the great mass of matter which "the petition contained, he had selected "one or two passages, which, in his opi- "nion, rendered it unfit for the House to "receive. He then noticed two passages: "the first, in which the House was ac- "cused of a '*flagrant injustice, past en-* "'*durance, as an outrage upon an English-* "'*man*;' and the other, stating that '*of* "'*the illegality of their proceedings, the* "'*petitioner conceived there could be but one* "'*opinion.*' For these, among many "others, he thought the House must re- "ject the petition, if they were not con- "tent to be accused of '*flagrant injustice*, "' beyond endurance,' and to be told that "there could be '*but one opinion of the* "'*illegality of their proceedings.*' He also "noticed the *extreme length* of the paper "from a single individual, not as an ob- "jection to receiving it, but to shew "inconvenient it would be to load how "their Journals, by encouraging such "*folios.*".——Now, as to the language, let us see what it was that the Major called "*flagrant injustice, past endurance.*" He is speaking of the memorable transactions of the 11th and 12th of May, 1809.—— On the evening of the 11th, Mr. Madocks stood up in his place, and accused Mr. Henry WELLESLEY, Lord CASTLEREAGH, and Mr. SPENCER PERCEVAL with having been concerned *in trafficking in seats in that Honourable House*. The Major is speaking of what the House did upon that occasion; he is speaking of what the Honourable House did when *that* breach of privilege was offered to be proved at the bar; he was speaking of what the Honourable House did when proof was offered of that breach of privilege, and comparing what they then did with what they have now done in the case of Sir Francis Burdett; and, he concluded by saying, that the Honourable House's conduct was "*flagrantly unjust* and "*past endurance.*" Reader, was this *true*, or was it not?——But, let us, more fully, renew the statement of the transactions of the night of the memorable 11th and 12th of May, in the blessed year of Jubilee. They are fully recorded in the XVth Volume of the Register, at page 737, and the following ones; but, it is good to restate the pith of them here.—— There were 395 members present. MR. MADOCKS first moved to have read, from the Journals, a resolution passed by the House in the year 1779, and which was read in the following words:—— "That it is *highly criminal* for any mi- "nister or ministers, or any other servant "of the crown in Great Britain, directly "or indirectly, to make use of the power "of his office, in order to influence the "election of members of parliament, and "that an attempt to exercise that influ- "ence is an attack upon the dignity, the "honour, and the independence of par- "liament, an infringement of the rights "and liberties of the people, and an at- "tempt to sap the basis of our free and "happy constitution."——Here it was declared; here it was upon the Journals of the Honourable House; here it was laid down as a rule, that for a minister or servant of the king to interfere with the election of members of the House, was, and should be considered as an "*attack* upon "the *dignity*, the *honour*, and the *indepen-* "*dence* of parliament, an infringement of "the rights and liberties of the people, "and an attempt *to sap the basis of our free* "*and happy constitution.*".——Well, then, if it could be proved, that such an act had been committed, could any one have believed, that the Honourable House would pass the thing over?——But, as if the principle had not been clearly enough established by this Resolution; or, as if *thirty years* was too long for a resolution to preserve its force, Mr. Madocks appealed to a resolution that had been passed by

the Honourable House *only* 16 *days before*, in the case of Lord *Castlereagh*, who had been proved to have offered a Writership in the way of exchange, or swap, as the jockies call it, for a seat or vote in the Honourable House. The Resolution, passed upon that occasion, was in the following words:——"That while it was *the bounden* "*duty of that House to maintain at all times* "*a jealous guard upon its purity*, and not to "suffer any attempt upon its privileges to "pass unnoticed, the attempt in the pre- "sent instance (that of Lord Castlereagh "and Mr. Reding) not having been car- "ried into effect, that House did not think "it then necessary to proceed to any cri- "minatory Resolutions respecting the "same."——Now, here was the Honourable House, only on the 25th of April preceding; only 16 days before, solemnly declaring, *that it was its bounden duty to maintain at all times a jealous watch over its purity*; and declaring, that Lord Castlereagh was not proceeded against *criminally*, only because he had not *completed the act* he attempted to commit.——This the House, in formal resolution declared, and placed upon its Journals, on the 25th of April, preceding the day when Mr. Madocks made his motion. The *reason*, indeed, for the House not proceeding to punishment of Lord Castlereagh is such as, perhaps, never was heard of before in the world; but, at any rate, the House, the Honourable House did solemnly declare, that it was its *bounden duty* to *maintain, at all times*, a *jealous watch over its purity*; and this declaration it made on the 25th day of April.——Very well, then, said Mr. Madocks. I will put these resolutions and declarations; I will put these solemnly-recorded resolutions to the test. ——On the 11th of May, therefore, he came to the House, agreeably to notice, and rose in his place and said:——"I "affirm, then, that Mr. Dick *purchased a* "*Seat in the House of Commons* for the bo- "rough of Cashel, through the agency of "the Honourable Henry Wellesley, who "acted for, and on behalf of, the Trea- "sury; that, upon a *recent question* of the "last importance, when Mr. Dick had de- "termined to vote according to his con- "science, the noble lord, Castlereagh, did "intimate to that gentleman the necessity "of either his *voting with the government*, "*or resigning his Seat in that House*; and "that Mr. Dick, sooner than vote against "principle, did make choice of the latter "alternative, and vacate his seat accord- "ingly. To this transaction I charge the "right honourable gentleman, Mr. Perce- "val, *as being privy, and having connived* "at it. This I will engage to prove "by witnesses at your bar, if the House "will give me leave to call them."—— What did the Honourable House now do? Mr. Madocks made a motion *for an Inquiry* into the matter, and for the calling of witnesses to prove the truth of his allegations. How did the Honourable House dispose of that motion? Surely, they called witnesses to the bar? Surely after their resolution, just read to them by their clerks, they did not *refuse to inquire?* Yes, they did. But, upon *what ground?* Why, that it was *time to make a stand against popular encroachment!* To call for an inquiry into the *selling of a seat in parliament and the taking of the seat back because the holder would not vote as they wished him*; to call for inquiry into acts like these, alledged against the king's ministers, was termed *popular encroachment*; to call for inquiry into charges of the most serious nature, into acts which the House itself had solemnly declared to be an attack upon its dignity, its *honour*, and its *independence*, and an attempt to *sap the basis of the constitution*; to call for, to ask for, to move for merely *an inquiry* into acts of this very description was, by the members of this very House, denominated *popular encroachment*, and to make *a stand* against which both parties joined. Not a word was said in the way of *denying the charge*. Not a syllable in the way of doubting the truth of the allegations. But, instead of such denial; and instead of attempting to reconcile the proceeding with the solemn resolutions just read to them, the Honourable House, after many of its members, on *both sides*, had imputed the motion of Mr. Madocks to *factious motives*, determined, 310 to 85, that they would SUFFER NO INQUIRY INTO THE MATTER. In less than a year from that day, this same House send Mr. Gale Jones to jail for having said that an act of one of their members was *an outrage upon public feeling*; and, with the aid of the army, they sent Sir Francis Burdett to the Tower for publishing an Address to his Constituents, stating his reasons for believing, that the commitment of Mr. Jones was illegal; and, at the time that they do these things, Mr. Henry Wellesley is promoted to the rank of Embassador; this Mr. Henry Wellesley, one of the persons accused by Mr. Ma-

docks, is the *representative of the king*, in Spain; and Mr. SPENCER PERCEVAL, another of the persons accused by Mr. Madocks is (by promotion *since* the accusation) become the *king's prime minister*, supported and approved of in all his measures, not excepting the Walcheren expedition and sending of Sir Francis Burdett to the Tower, *by a decided Majority of the Honourable House.* ——Such was the case; such is a plain statement of the case, to which MAJOR CARTWRIGHT refers in his petition, and, in speaking of which, he uses the words objected to by Mr. Perceval, objected to by that very same Mr. Perceval, whom Mr. Madocks accused, and into whose conduct the House *refused to inquire!* Whether the words objected to were *too strong*, or *not strong enough*, I shall now leave the reader to determine, and add a remark or two of a more general nature.——The *right of petition* makes an article in the *Bill of Rights*, and which right has been very much talked of indeed. Great importance is given to this right; and, though ridiculed by PAINE in a most cutting manner, has still been regarded as something of real value to the people. But, if this new doctrine of Mr. Perceval becomes current, what will this right be good for? A petition may, it seems, be rejected on account of its being *too long;* and, of course, it may on account of its being *too short*. It may be rejected because it complains of the *injustice* of the House and of the *illegality* of its proceedings. In the debate upon the Petition of the Livery of London, Mr. Perceval expressed his resolution to *face* any *discontented* petitioners. So, then, the "*right of petition*," it seems; this famous right, is, at last, reduced to this; that we have a right to express our *contentedness* as often as we please; and that we have, in some cases, even a right to *complain*, but only in *such language and at such length as shall be approved of by those, of whose acts we have to complain!* This is a most precious *right*, indeed! In short, it is neither more nor less than the "*right*" of *crying!*

ACTION AGAINST THE SPEAKER.——A debate upon the subject of the Speaker's *pleading* to the action brought against him by Sir Francis Burdett gave rise to a speech from Mr. PONSONBY, which has very clearly proved, that there is no difference at all in the opinions and view of the two sides of the Honourable House, as to this great public question. I should not, however, have mentioned this speech here, had it not been for the purpose of pointing the attention of my readers to the answer of PUBLICOLA, published in the TIMES of the 17th instant, and inserted in another part of this Number.——It is truly gratifying, at a crisis like the present, to see a man like LORD ERSKINE standing forward in the manner that he has. His Speech in the House of Lords has produced a wonderful effect on the public mind, and must be attended with lasting consequences of the greatest importance. There is, perhaps, if we consider his Lordship's connections, and those ties which naturally bind a man in a similar situation, not an instance to be quoted, in which a part more truly noble has been acted.

COUNTER DECLARATIONS.——There is a *Counter-Declaration* on foot, I perceive, by certain persons in *Middlesex*, styling themselves "*Loyal* and *independent* Free-"holders."——A most humourous account has been published of the meeting, or rather, attempt at meeting, of these *independent* people, the truth of whose declaration will be easily judged of from the facts, that *the Chairman* is fastened upon the country *in a pension of* 500*l. a year*. The signers (about 30 or 40 in number) are strangers to me, all but one, and that one, named JOHN GIFFORD (formerly *Green*) is *independent* enough to be a *police magistrate*, with a *salary of* 500*l.* a year (I believe it is) held *during pleasure*. Whether he has any pension *now*, in addition to this, I know not; but, I know he had such pension but a few years ago, and I make no doubt that he has it still. These are pretty good specimens of the *independence* of these people; and, I dare say, that their *loyalty* is exactly of the same stamp. To make this List complete, there wants nothing but the name of JOHN BOWLES; and on it that name would have been, had not the little accident of last year taken place. "The *Flemish* account of Commissioners *Dutch*." But, really, John is wronged. He is just as good as any other one of the set. They are all as *loyal* and as *independent* as John; and not a bit more so.——Now, these, and such as these, are the enemies of a parliamentary reform, and no other part of the people. It is very natural, that they should be so. But, if it be natural, that they should like to live upon us, it is, on the other hand, quite as natural that we should like to shake them off if possible, and as soon as possible. No man likes to

keep another, except he be a relation; and I am pretty sure, that none of these *abhorrers* are related to me.——The abhorrers would gladly conjure up a *Jacobin Plot*. Why do they not advertise for one? There are always enterprizing people to be had, such as MEHEE DE LA TOUCHE and the COUNT DE KOLLI, of whose adventures the French have given us so whimsical an account. This is a desperate case this total absence of the means of conjuring up a conspiracy.——"Alarming" indeed! What is there to excite alarm in the conduct of the people? What are the "*dangerous* "principles" that have been broached? Is it dangerous to pray for the adherence to "*Magna Charta* and the *Law of the* "*Land?*" Is this dangerous? Sir Francis Burdett asks for that expressly; and as to *Reform*, what does he ask for but that the *people should be represented in parliament*, and, in truth, as well, as in words, *taxed by their own consent?* What do the people ask for other than that which the Great Lord Chatham, Mr. Pitt, Mr. Fox, and Mr. Grey, have contended to be absolutely necessary to prevent the total annihilation of the liberties of England? What do they ask for more than Lord Erskine now declares to be necessary to our salvation?—— It is a foul calumny to say, that the people, who, from Penzance to Dover and from Weymouth to John a' Grot's House are exclaiming "BURDETT FOR EVER!" it is a foul calumny to say, that they wish for any thing injurious to the dignity of either the Crown or the Parliament. The present ferment has arisen out of no plot; out of no combination; out of no *premeditated scheme*. It has arisen, by accident, out of the Walcheren expedition and the exclusion of the people from the Gallery, during the Inquiry into the planning and conducting of that fatal measure. That the people are out of humour with the House is certain; but, with whom did the condemnation of the conduct of that House originate? Why, with those who were defeated in the divisions in the House. With those who called the ministers the "*Demon of England*;" with those who said, that, if the House continued to support such ministers, "*the greatest calamity* "*the nation could endure, was such a House* "*of Commons.*" There are none of the Petitioners who have gone this length. Why, then, are *the people* to be blamed? —"They who," said Mr. Burke, addressing the House of Commons, "call upon you to "belong *wholly* to the people, are those "who wish you to return to your *proper* "home; to the sphere of your duty, to "the post of your honour, to the mansion "house of all genuine, serene, and solid "satisfaction.——Let us free ourselves at "once from every thing that can increase "their suspicions, and inflame their just "resentment.——Let the Commons in "parliament assembled, be one and the "same thing with the Commons at large. "——Let us give a faithful pledge to the "people that we honour, indeed, the "crown; but that we *belong* to them; "that we are their auxiliaries, and not "their task-masters; the fellow-labourers "in the same vineyard, not LORDING over "their rights, but helpers of their joy." ——The same advice will every wise man now give. The people do, and must, bear heavy burdens; and it is right, that every thing that can be done, should be done, to convince them, that not a shilling of their money is taken from them unnecessarily. The whole of the discontents might be put an end to in a moment by a resolution, on the part of the House, that they would, at a time fixed, take into their impartial consideration *the question of Reform*. This done, there would be no necessity for the miserable tricks, now playing off by wretched instruments, such as we have seen assembling in dark holes in the City and in Middlesex, whose proceedings cannot fail to add to the prevailing discontent and irritation.

WM. COBBETT.

Botley, May 17, 1810.

COBBETT'S
COMPLETE COLLECTION OF
State Trials:

The EIGHTEENTH PART of the above Work will be published on the 1st of June. One Part will appear, with the greatest regularity, on the first of each succeeding month. Subscribers who purchase the Work in Quarterly Volumes are respectfully informed that the Sixth Volume will be ready for delivery on the first of June. Of the Two HUNDRED and FORTY-TWO Trials or Proceedings, of which the first six Volumes consist, ONE-HUNDRED and TEN never before came into any Collection. The following is a List of the Articles contained in the Sixth Volume:

*** *The new Matter is marked* [N.]

208. Proceedings at the Conference in the Savoy, respecting a Review of the Liturgy, A. D. 1661 [N.]

209. The Trial of John James, a Fifth Monarchy Man, at the King's Bench for High Treason, A. D. 1661.

210. The Trial of Sir Henry Vane, knt. at the King's-Bench for High Treason, A. D. 1662.

211. The Trial of John Crook, Isaac Grey, and John Bolton, Quakers, at the Old Bailey, for refusing to take the Oaths of Allegiance and Supremacy, A. D. 1662.

212. The Trial of Thomas Tonge, George Philips, Francis Stubbs, James Hind, John Sellers, and Nath. Gibbs, at the Old Bailey, for High Treason, A. D. 1662.

213. The Trial of Mary Moders, alias Stedman, styled the German Princess, at the Old Bailey, for Bigamy, A. D. 1663.

214. Proceedings, in the House of Commons, respecting a Message, alledged to have been carried by the Earl of Bristol to the King from Sir Richard Temple, undertaking that the King's Revenue should be settled, A. D. 1663 [N.]

215. Proceedings in Parliament against Edward Earl of Clarendon, Lord High Chancellor of England, for High Treason, and other High Crimes and Misdemeanors, A. D. 1663—1667.

216. The Trials of John Twyn, Printer, for High Treason; also of Thomas Brewster, Bookseller, Simon Dover, Printer, and Nathan Brooks, Bookbinder, for Misdemeanors, at the Old Bailey, A. D. 1663.

217. The Trial of Colonel James Turner, John Turner, William Turner, Mary Turner, and Ely Turner, at the Old Bailey, for Felony and Burglary, A. D. 1664.

218. The Trial of Margaret Fell and George Fox, for not taking the Oath of Obedience, A. D. 1664 [N.]

219. A Trial of Witches, at the Assizes held at Bury St. Edmond's for the County of Suffolk, A. D. 1665. Before Sir Matthew Hale, knt. then Lord Chief Baron of his Majesty's Court of Exchequer [N]

220. The Trial of Mr. Benjamin Keach, at the Assizes at Aylesbury, in Buckinghamshire, for a Libel, A. D. 1665.

221. The Case of the Jurisdiction of the House of Peers, between Thomas Skinner, Merchant, and the East-India Company, A. D. 1666 [N.]

222. The Trial of the Lord Morley, for Murder, before the House of Lords, A. D. 1666.

223. Proceedings on an Impeachment of John, Lord Viscount Mordaunt, of High Crimes and Misdemeanors, A. D. 1666 [N.]

224. Examinations concerning the Firing of London, A. D. 1666 [N.]

225. Proceedings against Peter Pett, Gentleman, upon an Impeachment for several High Crimes and Misdemeanors, A. D. 1668, [N.]

226. Proceedings against Sir William Penn, knight, upon an Impeachment for several High Crimes and Misdemeanors, A. D. 1668, [N.]

227. The Trials of Peter Messenger, Richard Beasley, William Green, Thomas Appletree, John Earles, William Wilks, William Ford, Richard Farrell, Edward Cotton, Edward Bedle, Richard Latimer, John Sharpless, Richard Woodward, Thomas Limerick, and John Richardson, at the Old Bailey, for High Treason, in tumultuously assembling themselves in Moorfields, and other Places, under Colour of pulling down Bawdy Houses, A. D. 1668.

228. Proceedings against the Earl of Orrery, on an Impeachment of High Crimes and Misdemeanors, A. D. 1669 [N.]

229. The Trial of Robert Hawkins, Clerk, late Minister of Chilton, at the Assizes at Aylesbury, for Felony, A. D. 1669.

230. The Trial of William Penn and William Mead, at the Old Bailey, for a Tumultuous Assembly, A. D. 1670.

231. Case of the Imprisonment of Edward Bushell, for alledged Misconduct as a Juryman, A. D. 1670 [N.]

232. Proceedings in the House of Commons against the Duke of Lauderdale, A. D. 1674. [N.]

233. Proceedings in the House of Commons against the Duke of Buckingham, A. D. 1674. [N.]

234. Proceedings in the House of Commons against the Earl of Arlington, A. D. 1674. [N.]

235. The Proceedings in the Court of King's-Bench, Exchequer, and House of Peers, in the Case of Sir Samuel Barnardiston, bart. against Sir William Soame, Sheriff of Suffolk, concerning the Election of Members to Parliament, A. D. 1674.

236. Case of Privilege of Parliament: being Proceedings in Parliament, on an Appeal brought in the House of Lords, by Dr. Shirley, against Sir John Fagg, and other Members of the House of Commons, A. D. 1675. [N.]

237. Proceedings against Mr. Francis Jenkes, for a Speech made by him on the Hustings, at Guildhall, in the City of London, on Midsummer-day, A. D. 1676.

238. The Trial of James Mitchel, in Scotland, for attempting the Murder of Dr. James Sharp, Archbishop of St. Andrews, and wounding the Bishop of Orkney, A. D. 1677.

239. Proceedings before the Lords of the Articles, &c. against Charles Maitland, of Halton, Treasurer Depute, for Perjury, in having given a false Testimony, at the Trial of James Mitchel, A. D. 1681.

240. Proceedings in the Case of Anthony Earl of Shaftsbury, at the King's-Bench, on an Habeas Corpus, A. D. 1677.

241. The Trial of Philip Earl of Pembroke and Montgomery, at Westminster, for the Murder of Nathanael Cony, A. D. 1678.

242. Case of the Constitution of the Island of Jamaica, A. D. 1678 [N.]
243. Introduction to the Trials for the Popish Plot, A. D. 1678-1685.

MR. O'CONNOR.

DEAR SIR;

By the manner in which I have expressed myself in the short statement which appeared in the last Political Register, it appears, as if I had experienced harsh and severe treatment in Scotland. The passage I allude to is, that "I was taken to Fort George, where from the lenient treatment I received I lost the use of my limbs,"—whereas, it should have run thus, "where from the lenient treatment I had received in Ireland, I totally lost the use of my limbs, on my arrival at Fort George."—The kindness, attention, and hospitality I experienced from Governor Stuart, officers of the different regiments, who were in that garrison during my confinement there, and families in the neighbourhood, in instances too numerous to detail here, have left an impression on my mind not to be effaced by time. But as I have discovered the authors of the libels sent forth against me, I purpose to expose them to the view of the public; satisfied that public indignation must pursue either them or me. Let them not think at the same time that I am repelling their charges, no such thing, I will charge them home, I shall tell the truth, the whole truth, and nothing but the truth, and in doing so I will prove from under their hands, that they have told falsehood, and nothing but falsehood. As you very justly have remarked, I have been compelled to come forward. The public these eleven years have not heard one word of or from me, nor did I mean to obtrude myself upon their notice as to myself, but surely no one can think me presumptuous, or addicted to detestable egotism, because I lay open transactions, which though they relate to a great national question, appertain principally to myself.—I had no occasion to think much or long upon the information I shall give of Lord Castlereagh and Mr. Edward Cooke, the delay does not arise from any difficulty on that head, but as my next public address through you, if you will permit me, shall be in all probability my last notice of these men, in order to have it as correct as it is my duty to make it, I shall go to my own country; where Lord Chichester's Letter to me, a copy of Lord Camden's letter to Lord Kinsale, Lieutenant Spear's affidavit before the Mayor of Cork, Hebert's affidavit before Mr. Rashleigh, and though last not the least important, Mr. Frank Dobbs's communication to me, in consequence of observations of mine to him on his words in the House of Commons, upon Mr. O'Donel's motion, now are. If I cannot account satisfactorily for every assertion I have made, and if I cannot prove the whole of the libels against me, false, scandalous and malicious, I shall rest content that my character shall be held by the people in as much detestation, as I am proud of thinking it is really held by such creatures as the Right Hon. Lord Viscount Castlereagh and Mr. Edward Cooke. Of all men living, these two persons should have avoided O'Connor. I did hope that my silence either publicly or privately (now eleven years), but corresponded with that dignity which ought to belong to my name and country; I should be sorry to think that I could be actuated by so bad and unworthy a passion as revenge, it is clear I was not; and it will be much more clear when those events of which you have hitherto heard something by parcels, shall be related distinctively.—As neither Newel nor Dutton, nor Milner nor Toole, nor the some scores of other such like bosom friends, associates and acquaintances of the Noble Viscount, and the *cidevant* Secretary Cooke, are not now to be found, having either deserted from the battalion of Testimony and Death Guards, or, being deserted by the master and his man, have paid by their deaths the forfeit of their crimes, perhaps I may be able to travel on my business without fear of interruption, or being sworn against by men who never saw me. But if my life is preserved for a short time, I pledge myself to lay before the public the conduct of those men who administered the affairs in Ireland, during the residence there of Lord Camden, and Lord Cornwallis, as far as relates to me, and then let the public decide between them and me.—I am, dear Sir, your much obliged humble servant,

O'CONNOR.

Maddox Street, Hanover Square;
May 14th, 1810.

Privileges of the House of Commons.

To the Right Hon. Lord Erskine.

"Nought could his firmness shake, nothing seduce
His zeal, still active for the common-weal;
Nor stormy tyrants, nor corruption's tools,
Foul Ministers, dark-working by the force
Of secret-sapping gold. All their vile arts,
Their shameful honours, their perfidious gifts,
He greatly scorned." THOMSON.

My Lord,—After the very able and animated speech which your Lordship delivered in the House of Peers, on the subject of the Privileges of the House of Commons, I did not expect it would be asserted by any one, pretending to be conversant in the Laws and Constitution of his country, that the Commons have power to dispense with the written law of the land. This, however, has been done, and by a Gentleman whose name and reputation are by no means inconsiderable in the political world. The Right Honourable George Ponsonby has told the House of Commons, that they can imprison the subject at their own discretion, notwithstanding the Great Charter of King John; and he says, that no Judge whatever, under any circumstances, has a right to interfere with the proceedings of that House. From the marked attention with which that Gentleman's Speech was received, and the frequent cheers which were given from both sides of the House, one would think that the Commons had made him their principal champion, and that they were willing to rest their cause, at least in the House, on his authority. They seem to have been of opinion, that if the power for which they contend could be defended at all, Mr. Ponsonby was the man to defend it. I agree with the Honourable House, that if their privilege to imprison a subject against the written law of the land could have been defended, the Right. Hon. Gentleman would have defended it for them——

"Si Pergama dextra
Defendi possent; etiam hac defensa fuissent."

But the defence which the Right Hon. Gentleman has made is not supportable; and that it is not, I think I am prepared to shew, in a few remarks which I beg to submit to your Lordship's consideration, and which, without farther preface, I trust will meet with your courteous reception.

In the first place, then, I shall observe, that the Parliament of this Country consists of three Estates; the King, the Lords Spiritual and Temporal, and the Commons. These three Estates, united together, and considered as one aggregate body, are omnipotent; that is, they can make Law; and that which is Law, they can make no law; but taken separately, and independently one of another, they can neither make nor unmake laws; for the consent of all three is required to every act to bind the subject. This is the true Constitution of England; and therefore no written law which is now in existence, can be repealed otherwise than by the concurrence of the King, the Lords, and the Commons. But says the Right Hon. Gentleman, we (the House of Commons) have a privilege to imprison and punish at our own discretion; we do not care for an Act of Parliament, which declares that "no man shall be imprisoned or put to death without the intervention of a jury:" we can break down that barrier; nay, we will break it down, and when we have done so, there is no power upon earth that can call us to account: we are "the sole judges of our own privileges—"the sole judges of what those privileges "are; the sole judges of the extent (only "observe, my Lord, the extent!) to which "those privileges are to be carried; and "the sole judges of the manner in which "such privileges are to be exercised." And are we really come to this? Are the people of England blind? Or are they so indifferent, that they can disregard the declaration made by the Right Hon. Gentleman, that the House of Commons alone (without the concurrence of the King and Lords) are omnipotent; that there is nothing but what they can do, if it be called by the name of Privilege; and that the Judges of the land are estopped from declaring when they do wrong? Where did the Right Hon. Gentleman learn this law? Where does he find it said, that the House of Commons alone can repeal the written law of the land? He has referred to my Lord Coke: he has cited Sir Matthew Hale, he has favoured us with extracts from Sir William Blackstone; but does any one of those writers say, clearly and distinctly, that the House of Commons alone can do away with the written law of the land; that they can confine and punish the subject at their own discretion; in short, that they can do any thing they please, and that no Court of Justice in this country has power to judge of their acts, and to declare when they exceed their powers? If any one, or even all, of those great legal writers should have declared these things, I would not pay the least regard to them; for I know that they are decidedly repugnant to the spirit of our Constitution; and I can

never forget what my Lord Holt (as great a lawyer as ever lived) declared upon the bench, viz. "that the authority of Parliament is from the law, and as it is circumscribed by law, so it may be exceeded; and if they do exceed those legal bounds and authority, their acts are wrongful, and cannot be justified any more than the acts of private men." (1 Salk. 505.) The Right Hon. Gentleman must have been aware of this declaration of the learned Judge; but as it differs from his sentiments, he wishes to cast my Lord Holt in the back ground, by calling him singular; but that he was not quite so singular as that Right Hon. Gentleman wishes the people to believe, I shall shew, when I come to speak of the authority which the Judges have to interfere in matters of Privilege of Parliament.

The Right Honourable Gentleman asserts, that "Privilege of Parliament is as much "*lex terræ*, and as much within the exception of Magna Charta, as any one part of the known law of the land that comes within its exceptions." To this I will answer that the Right Hon. Gentleman is completely mistaken. The House of Commons had no jurisdiction whatever till several years after the making of Magna Charta. My Lord Coke, indeed, has carried the antiquity of Parliament much higher: But he is quite wrong, for the first writ for the election of Knights, Citizens, and Burgesses, was in the reign of King Henry the Third—(Vide Dug. Sum. Parl. 3. Cot. Abr. Præf. 13. b.) In the 35th year of Elizabeth, ann. 1592, Sir Edward Coke was Speaker of the House of Commons, and he then attempted to mislead the House in a manner which deserves to be made known. He talked very highly of the antiquity of Parliaments, and of the mode of holding Parliaments, such as it is at this day; and said he had a book, which, if any Member desired to see, he would shew it him; being a Precedent of a Parliament holden before the Conquest, intitled "*Modus tenendi Parliamentum*;" but no sooner had he extolled its antiquity, authority in print, than that most judicious, industrious antiquary, Mr. John Selden, decried it to be a late imposture of a bold fancy, not exceeding the reign of King Edward III—(Titles of Honour, p. 708 to 721): and that very learned divine, Bishop Usher, in a letter to Mr. W. Hakewill, of Lincoln's Inn (who affirmed he had seen an exemplification thereof in the reign of King Henry IV. said to be sent by King Henry II. into Ireland) conceived it to be a mistake; and that this *Modus* was not so ancient, many pregnant evidences of its novelty appearing throughout its whole contexture. To these I will add the observations of the learned and industrious Mr. Prynne, namely, that the word Parliament was not in use in the Conqueror's reign; for, says he, "that word, to express or denote a Parliamentary Great Council, as this *Modus* useth it, was never used in any of the ancient Great Councils, Synods, Laws, Canons, Constitutions, Charters, Patents, Writs, or other Records, nor yet in any of our old Historians, living in the reigns of our British, Saxon, Danish Kings, before, or of our Norman or English Kings after the Conquest, till the reign of King Henry III.;"—(vide Pryn. on 4th Inst. p. 2.); and, therefore, he is very much dissatisfied with Sir Edward Coke for his deception, or at best his mistake, and declares, "that had this been the mode of holding Parliaments in Edward the Confessor's reign, and this *Modus* shewn to, approved, and used by William the Conqueror, and in the times of his successors Kings of England, as its title asserts (which certainly was added long after the Conquest, if the *Modus* was before it) or transcribed in a parchment roll, and sent into Ireland by King Henry II. to be there observed, and that, no doubt, by the advice of his Judges, it is very probable some of our historians, parliamentary writs, rolls, records, statutes, law-books, would have mentioned it; especially Statham, Fitzherbert, Brooke, Fortescue, Sir Thomas Smith, Edward Vowel, Holingshed, and Mr. Camden, in their Titles and Discourses of Parliaments. But (adds he) not one of all our ancient historians, parliament writs, rolls, records, journals, statutes, law-books, or writers of parliaments I have perused, ever made the least mention of it, before Sir Edward Coke vouched it in the Parliament of 35 Elizabeth, when he was Speaker." (See Pryn. on the 4th Inst. p 6. 7.) And in his "Additional Appendix of Records," (p. 1.) he tells us, that in perusing Mr. Agar's Abridgment of *Placitacorum Rege*, in the Treasury of the Receipts of the King's Exchequer, he found at the end of his Abridgment and Table to the *Placita* of King Richard II. this *Modus tenendi Parliamentum*, transcribed by him, out of a manuscript in Sir Robert Cotton's Library, as relating to the time of

King Richard II. and containing some passages in it transcribed out of records in his reign. Therefore Mr. Agar thought that its highest antiquity exceeded not the latter end of King Richard II.'s reign; and so (says Mr. Prynne) the author's discourse of its antiquity and authority will prove but a mere Utopian fancy of his own invention.

The House of Commons cannot, therefore, find any exception in the Great Charter to warrant their violation of it. Mr. Ponsonby does not appear to me to have read enough upon this subject; he has just skimmed the surface, but has not descended to the bottom. Having, as I trust, shewn that the House of Commons had no jurisdiction till after the Great Charter, I will now explain in what manner they originally had redress for what they called a breach of privilege; and I will prove that they proceeded by a Jury, and not according to their own pleasure. Mr. Prynne, whose industry and research were most indefatigable, has left us a copy of a Record, in the reign of Richard the Second, which he discovered. It is "Pat. II. R. 2. pars 2. m. 3 dorso. De inquirendo"—concerning an extraordinary forcible riot and trespass committed upon the goods, lands, servants, and tenants of one of the Knights of the Shire for Cumberland while he was sitting in Parliament under the King's protection; and this Writ of Inquiry was issued out by the King upon his complaint thereof made unto him. The Writ is too long for me to transcribe, nor is it necessary: I shall, however cite Mr. Prynne's observations upon it. "From this precedent," says he, "it is observable, first, that the House of Commons in that age assumed no jurisdiction to themselves, or their Committee of Privileges, to examine and punish this trancendent riot and breach of privilege of their Member, but only complained thereof to the King in Parliament, for redress thereof, as they did to the King and Lords in all other cases of like nature, till the end of King Henry VIII. as I have elsewhere (viz. in his Brief Register and Survey of Parliamentary Writs) evidenced at large. 2dly, That the King, upon this complaint, did not presently send for the offenders in custody by a Serjeant at Arms, as the Commons of late times have done, but issued out a Commission to inquire of the riot and abuses by a Jury: which (says he) I observe, not to diminish any of the just ancient privileges of the Commons House, or Members, or the exemplary punishment of the wilful contemptuous infringers of them, but to rectify the late irregularities in sending for persons in custody upon every motion and suggestion of a pretended breach of privilege, to their extraordinary vexation or expense, before any legal proof or conviction of their guilt, against the Great Charter and all ancient Precedents and Proceedings in Parliament." See "Additional Appendix" to Animadversions on 4th Inst. pp. 1, 2, 3.

Now, my Lord, what will Mr. Ponsonby—what will the House of Commons say to this? Where is now their jurisdiction? Where is their old and indisputable power to imprison the subject at their pleasure? Where is Mr. Ponsonby's privilege, "as ancient as the common law?" My Lord, the House of Commons talk to us about custom: let us just consider what is meant by custom. I have always understood, first, that no custom can prevail against an express Act of Parliament; and secondly, that if any one can shew the beginning of a custom within legal memory, that is, within any time since the first year of the reign of Richard the First, it is not a good custom. Now, in reference to the first point, we all know that there is a written law against the power which is assumed by the House of Commons. This is clear and certain. With regard to the second point, I have just proved that the House cannot shew the exercise of the power to commit and punish at their pleasure, before the first year of the reign of Richard the First; for I have cited the Writ of Inquiry in the reign of Richard the Second, at which time it appears that they proceeded according to the old and sound mode prescribed by the Great Charter; that is, by the Trial by Jury. Where, then, I ask again, is the jurisdiction of the House of Commons to set aside the written law? How does Mr. Ponsonby intend to answer this? He occupied a very considerable time the other evening, in order to shew the right—the ancient, the undoubted right—of the House to imprison at their pleasure. He said, "now I have shewn the right." No, my Lord, he has not shewn the right; for I flatter myself that I have shewn the House is wrong. Mr. Ponsonby is not so well read in the history and constitution of this country as he supposes. He is quite mistaken as to the origin of the House of Commons; and he is equally incorrect in saying, that "it is

" well known the two Houses of Parliament formerly sat under the same roof, " and transacted business together." He borrowed this observation from Lord Coke, who first affirmed it in the Parliament of 35 Elizabeth, when he was Speaker. I have already refuted my Lord Coke's account of the antiquity of Parliament; and I now maintain, that the House of Commons never sat and debated with the Lords in one House: for there was no House of Commons to sit with them, till the latter end of King Henry the Third's reign; and Mr. Prynne has cited various rolls and writs of summons to shew that they never sat together at that time. And all that is warranted by the rolls referred to by my Lord Coke is, that the Commons came to the Lords' House, when the causes of summoning the Parliament were declared by the Chancellor, and at the end thereof, and had sometimes conference with them, as now they have; but that they sat or debated together as one House, is in no ways proved. (Vide Prynn. on 4th Inst. pp. 8, 9, 10.)

My Lord, I shall now beg leave to proceed to that part of Mr. Ponsonby's speech where he strives to evince the propriety of the power assumed by the Commons; for as to the right, I conceive I have put that question at rest. He ridicules " the sagacious complaints of those " who rant so loudly against what they " call the absurdity of being Accusers, " Judges, and Executioners in their own " cause." Now, my Lord, one would have thought, that however mistaken the Right Hon. Gentleman might be in his legal opinions as to the right of the power, he would not have asserted that it is proper for men to be accusers and judges in their own cause. This is against the first principles of justice; it is contrary to the precepts of the divine law; and therefore it is an established maxim among us, that " none may judge in his own cause." Indeed it is a manifest contradiction that a man can be agent and patient in the same thing. Your Lordship knows, that if, during the time you presided in the High Court of Chancery, you had made a decree to strangers in a thing which concerned yourself in interest, and for yourself, it would have been void, because you could not be a Judge in your own cause. (H. 11. Ja. in Chancery, between Sir John Egerton and the Lord Darby and Kelly, resolved by the Lord Chancellor, Coke and Doderidge. 2. Roll. Abr. 93,) In Hil. 4. H. 4. a fine levied before the bailiffs of Salop was reversed, because one of the bailiffs was party to the fine, *quia non potest esse judex et pars.* In the case of the City of London *v.* Wood, it was determined that an action cannot be brought by the Mayor and Commonalty in a Court held before the Mayor and Aldermen; for though the Mayor be not sole Plaintiff, nor sole Judge, yet he is essentially Plaintiff and Judge. (12 Mod. 672.) In Jenk. 90. pl. 74. it is said, that judgment given by a Judge who is party in the suit with another, and so entered of record, is error, although several other Judges sit there, and give judgment for the Judge who is party. I could cite many more cases to this effect; but I will not trouble your Lordship with them; you know that they are all grounded upon a sound and perfect principle of justice. Littleton, whose text has always been considered as the Bible of the law, declares that " it is against reason, if wrong be done to a man, that he should be his own Judge;" for, says he, " by such way, if he had damages but to the value of an halfpenny, he might assess, and have therefore a pound, which should be against reason. And so (he adds) such prescription, or any other prescription used, if it be against reason, this ought not, nor will not be allowed before Judges; *quia malus usus abolendus est.*" (Vide Tenures, sec. 212.) Lord Coke observes upon this passage, that " every use is evil that is against reason; *quia in consuetudinibus non diuturnitas temporis, sed soliditas rationis est consideranda:* and (he adds) by this rule, cited by our author, at the Parliament holden at Kilkenny in Ireland, An. 40 Ed. III. Lionel Duke of Clarence being then Lieutenant of that realm, the Irish customs, called there the Brehon law (for that the Irish called their Judges Brehons) was wholly abolished, for it was no law, but a bad custom, *et malus usus abolendus est.*" My Lord, it is astonishing that Mr. Ponsonby should say that the House of Commons can be accusers and judges in their own cause: and that they can do any thing they please, and go to what extent they think proper, without the controul of a court of law. If this were the case, what misery is there that might not be imposed upon the subject? In the reign of Henry VI. Sir John Mortimer being brought into the Parliament, without arraignment or answer, judgment in Par-

liament was given against him, that he should be carried to the Tower of London, and drawn through the city to Tyburn, and there hanged, drawn, and quartered; his head to be set on London Bridge, and his four quarters on the four gates of London*. Here is a lesson for the people of England! This case is mentioned by Lord Coke, and he declares, that "the proceeding was evil: for, (says he,) by the Statutes of Magna Charta, c. 29. and 28 Edw. III. c. 5. no man ought to be condemned without answer." (4 Inst. 38.)

But, as Mr. Ponsonby is very fond of my Lord Coke, I will take the liberty to extract a passage from him, in order to shew that none, not even Parliament, ought to bring in absolute and partial trials by discretion. Speaking, in his Comment on Magna Charta, of the trial by Jury, he says, "Against this ancient "and fundamental law, and in the face "thereof, I find an Act of Parliament, 11 "Hen. VII. cap. 3. made, that as well "Justices of Assize, as Justices of Peace, "(without any finding or presentment by "the verdict of twelve men) upon a bare "information for the King before them "made, should have full power, and au- "thority by their discretions to hear, and "determine all offences, and contempts "committed, or done by any person or "persons against the form, ordinance, and "effect of any Statute made, and not re- "pealed. By colour of which Act, shak- "ing this fundamental law, it is not credi- "ble what horrible oppressions and exac- "tions, to the undoing of infinite num- "bers of people, were committed by Sir "Richard Empson, Knight†, and Edm. "Dudley being Justice of Peace, through- "out England, and upon this unjust and "injurious Act (as commonly in like "cases it falleth out) a new office was "erected, and they made Masters of the "King's Forfeitures."

"But at the Parliament holden in the "first year of Hen. VIII. this Act of 11 "Hen. VII. is recited, and made void, and "repealed; and the reason thereof is "yielded, for that by force of the said "Act, it was manifestly known, that "many sinister and crafty, feigned and "forged informations had been pursued "against divers of the King's subjects, to "their great damage and wrongful vexa- "tion: and the ill success thereof, and "the fearful ends of these two oppressors, "should deter others from committing "the like, and should admonish Parlia- "ments,"—(I beseech your Lordship to attend to this very important expression —not the expression of Lord Coke, but of the Act itself, viz. should admonish Parliaments!!!) "that instead of this ordi- "nary and precious trial, *per legem terræ*, "they bring not in absolute and partial "trials by discretion"—(Vide 2 Inst. 51.)

Now, my Lord, what will our adversaries offer in reply? Is it absurd for us to condemn all arbitrary proceedings? Does not the above extract shew the horrid evils arising from them? Yes, it shews those evils, and it "admonishes Parliaments" not to proceed in this manner. Thus much, then, for the propriety of the uncontroulable power which Mr. Ponsonby wishes the House to have; and now to the consideration of that part of his speech, which denies the authority of the Judges to interfere with the privileges of the House of Commons.

Mr. Ponsonby says, that the Judges are estopped from deciding in cases of Privilege of Parliament; nay, he uses very strong language on this occasion, which I shall presently mention. Mr. Prynne, however, will completely refute the Right Hon. Gentleman's position, which is taken from my Lord Coke. Mr. Prynne declares, that "when matters of Privilege of Parliament come judicially before the Judges, in the Courts where they sit as Judges, there they may, do, and ought to judge them: as in the case of Bartholomew Done against John Walsh, Mich. 12. E. IV. rot. 20. in the Court of Exchequer; and of John Ryver against Robert Cosyn, Hil. 14. E. IV. rot. 7. Trewynnard's case Dyer, f. 59. and sundry other cases, published in the 4th part of my Brief Register of Parliamentary Writs." (Pryn. on 4th Inst. p. 16.) I wish Sir William Blackstone had looked more into Prynne and the earlier Records than he did. He was too much accustomed to copy from my Lord Coke, without ever examining into his authorities. If Sir William had not been so fond of Prerogative, as I fear he was, he would never have talked so highly of the undefined privileges of Parliament. He would have discovered the Writ of Inquiry, which shews that the Commons originally proceeded by Jury and not at discretion; and he would have told us that all arbitrary proceedings, however formerly exercised, are completely unjust and illegal; for that by the

* See 1 Cobbett's State Trials, p. 267. No. 21.

† Ibid. 268 No. 26.

spirit of our Constitution we are to live by law, and not by opinion. He would have reminded us of that important principle, *misera est servitus ubi jus est aut incognitum aut vagum.* But Sir William was too fond of prerogative; and though I do not wish to lessen the value of his memory, I must declare, that with regard to privilege of Parliament, either his head or his heart was very wrong. If he was not aware of the Writ of Inquiry in the reign of Richard II. his head is to blame; if he knew of that writ, and suppressed the knowledge of it, then his heart was worse than I wish to believe. The trial by Jury (which, though not near so ancient as some writers have imagined, was certainly very general in the reign of Henry II. for we find in that time many questions of fact relating to property were tried by twelve *liberos et legales homines juratos*, sworn to speak the truth, (who were summoned by the Sheriff for that purpose), is confirmed by the Great Charter, and the House of Commons used to proceed by this trial in the reign of King Richard II. and long after, till they usurped the arbitrary power to which they now pretend to be entitled.

But, as I promised, near the beginning of this letter, to shew that my Lord Holt was not quite singular in his decision, that the Judges could examine into matters of Parliament, I will now cite a case where he was supported by the other three Judges of his Court, and judgment was given accordingly. This case is extremely important, as the conduct of those Judges will furnish an admirable pattern for the Judges of the present day, notwithstanding the intimidations which have been held out. Your Lordship, no doubt, recollects the case, though Mr. Ponsonby may not. It is "The King and Queen "against Knowles." (Trin. 6 Will. and Mary, 12 Mod. 56.)

Samuel Eyre, Justice, declared that "this Court (the King's Bench) shall judge of the validity of all judgments and records here pleaded, and whether they are legal or effectual, or no; as of an Act of Parliament, what is one; than an act by King and Lords is not a good one: and so they may judge of an Order of the House of Lords, whether the concurrence of the other estates of Parliament, or one of them, be requisite; so the Court may take judicial knowledge of the proceedings in Parliament, and of their Committees.

"As to the objection, that the defendant hath, by his demurring, confessed this to a judgment *secundum legem et consuetudinem parliamenti*, this is matter of law arising thereon; and demurrer confesses only matter of fact, as stated, and leaves the matter of law arising thereon to the judgment of the court."

"As to the order of the House of Lords, all the books are, that a Peer cannot be degraded but by attainder, or by Act of Parliament."

Giles Eyre, Justice, accorded with his brother, and said, "The order of the Lords does not bind the liberty of the subject; as 2 Inst. 47, about sending able lawyers into Ireland. Inferior Courts are not tied up from judging their proceedings void; as if a Writ of Error be brought in Parliament of a judgment in the Common Pleas, whereas it should have been in the King's Bench; the Common Pleas may adjudge the Writ of Error void, and no supersedeas, and may award execution; or the King's Bench, notwithstanding this error, may examine the judgment upon Writ of Error. As to the demurrer, that confesses only matter of fact, and not of law, and *lex Parliamenti* is matter of law."

Gregory, Justice, agreed in every thing said by his brethren.

Holt, Chief Justice, in a most luminous speech, declared that "the Court of Par-"liament consists of King, Lords, and "Commons." (Cromp. Jurisd. of Courts, 11, 4 Inst. 1. Dyer 60.) And after having spoken at some length of the legislative and judicial power of the Lords, he says, "As to the 'secundum legem et consuetu-"'dinem parliamenti,' that is added by the "king's council only *in terrorem*. *Lex* "*Parliamenti* is *lex terræ*, and if a ques-"tion concerning it doth arise in a cause "of which the King's Bench has proper "connusance, the King's Bench may ad-"judge of it as the Spiritual Courts do of "temporal judgments, as patents, deeds, "&c. for the connusance of the principal "draws with it the connusance of the ac-"cessaries and incidents. (Dyer 60.) "And this holds in case of privilege of "Parliament; as in Sir John Benyon's "case, Trin. 14 Car. 2. in the Common "Pleas, where filing an original against a "sitting Member was adjudged no breach "of privilege. It is no new thing for our "Common Law Courts to examine mat-"ters of this nature, which concern pro-"ceedings in Parliament; we do but "follow the examples of our predecessors. "In the 38th year of Edward the Third

SUPPLEMENT to No. 20. VOL XVII.—Price 1s.

" the Bishop certified to this Court that " the father and mother were married, but " that the party was born in adultery; " the Lords sent a writ to the Judges, and " ordered them to judge on the special " matter; but the Judges did not obey. " In Stanton's case, the Lords commanded " the Court of Common Pleas to give a " judgment; the Chief Justice refused; " afterwards, in his absence, the others " complied, and gave judgment; the " King's Bench afterwards examined the " proceedings of the Lords, and adjudged " them void: as appears 15 Edw. III. 1, " 2, in the Oxford Library. We are not " to delay the Justice of the Land, and " the law of it is our Rule; and for these " reasons, let the indictment be quash- " ed;" and this was done accordingly.

My Lord, I am certain that your Lordship must not only concur in opinion with these learned Judges, but also admire their wisdom and integrity; and I have no doubt that my Lord Ellenborough and his brethren will act in the same upright and patriotic manner. The law of the land is their rule, and they are bound by an oath duly to administer the law. The King's Attorney-General may tell my Lord Ellenborough that he cannot interfere with any thing done by the Commons; but his Lordship can borrow the expression of Lord Holt, and say—" It is only added in *in terrorem.*" He has the same cases, and the same arguments, to support him, as his great predecessor and the other three Judges had; and those cases are enough to prove that the Court of King's Bench holds jurisdiction in cases of Privilege of Parliament. He will not, nor will any of his brethren, be deterred or intimidated by the observation of Mr. Ponsonby, that " it would be a gross dereliction of duty—a gross transgression of the law of the land—for any Judge, under any circumstances, to interfere with the Privileges of the Commons." This is a language which the Right Hon. Gentleman ought not to have used; it is (as my Lord Holt said) " *in terrorem:*" but the Judges will not regard it, they will remember their oaths. The Judges of the Court of King's Bench are much better read in the Laws and Constitution of this country than Mr. Ponsonby appears to be: and they all know that they are not to delay the Justice of the land. They know that the Great Charter contains a very plain and explicit declaration as to the protection which every man may expect from the laws of this country, and they know what is said in the confirmation of that Charter by the Act of 25 Edward I. " And we will," says that statute, " that our Justices, which under us have the laws of our land to guide, shall allow the same Charter, pleaded before them in all its points as the Common Law." Chap. 2.—" And we will that if any judgment be given from henceforth, contrary to the points of the Charter aforesaid by the Justices, it shall be undone, and holden for nought."

My Lord, I shall now beg leave to conclude. I have followed Mr. Ponsonby step by step, and I shall be ready to follow him still farther whenever he is disposed to proceed. To you, my Lord, the people are now looking up with a peculiar degree of confidence. They remember with gratitude and delight the many noble stands which you have made for their liberties; and above all, for the Trial by Jury, which is the motto of your Lordship's arms. They have witnessed the candour—they have felt the generosity—they have admired the nobility of soul which is contained in your Lordship's speech in the House of Peers on the subject now before us. Your Lordship is truly noble; for virtue is the only true nobility; and greater virtue cannot be displayed than in important services done to our countrymen. Your Lordship has often served your country, but never more sincerely than in your declaration, that " you would sooner die, than submit to " any dominion but that of the Law." You said, that if the House of Commons should dare to commit your learned friend, Lord Ellenborough, as they formerly committed Lord Chief Justice Pemberton, " you would resist the usur- " pation with your strength, and bones, " and blood." This, my Lord, was excellently said; it displays the same character as you have always maintained; and you very properly observe, that " what has been the character of your " mind and understanding must continue " to be its character." Your Lordship will not be governed by party, nor surrender your principles to interest; you are a constant, resolute, and honest man. I am confident you must acknowledge that the House of Commons have carried this matter too far; they have not attended to the statute of the 1st of Henry VIII. which " admonishes Parliaments, that " instead of the ordinary and precious " trial by Jury, they bring not in absolute

"and partial trials by Discretion." Let us hope then, my Lord, that our laws will prevail; nay they must prevail, for they stand upon too firm a basis to be shaken by Mr. Ponsonby, or the whole House of Commons put together. Their custom amounts to nothing; it has not existed from that period of time which the law requires in order to make it good: and besides, it is against and in the very face of the ancient and fundamental law of a trial by Jury. It is contrary even to the original proceeding of the Commons themselves, which was, I repeat, in the reign of Richard II. by the verdict of twelve men. Their present proceeding is a complete usurpation on the rights and liberties of the People—an unwarrantable oppression, in open violation of King John's Great Charter; and such, no doubt, the Judges, who have power, will feel themselves obliged, by their oaths, to declare, in spite of the observations and intimidations which some learned Persons have thought proper to throw out. The Judges know their duty, and the People are confident that they will perform it.

With the highest respect and regard for your Lordship, I have the honour to be, my Lord, Your most obedient, humble servant, PUBLICOLA.

TO SIR SAMUEL ROMILLY.

Σοφῶν γὰρ ἀνδρῶν τὰς ἁμαρτίας καλῶς
Κρίνειν, το δ' εικῆ κοὐ μετὰ σπουδῆς κακόν.

SIR;—Knowing for how long a time the powers of your mind have been directed towards the amendment of our penal code, and consequently aware that the subject must have been often contemplated by you in all its bearings and relations, I feel some hesitation in offering to your attention the thoughts, perhaps equally vague and ill digested, of one who can pretend to no experience in those laws, nor to any long or profound investigation of their tendency and results.

The opinion expressed by Dr. Parr, in his well-known Note on this subject, (Character of C. J. Fox, Vol. ii.), respecting the want of a thorough reformation of the system, is, I believe, equally entertained by all who are conversant with the arguments on which it is supported, and unbiassed by the prejudices too often inseparable from a professional life. It follows, almost of course, that those who have adopted it most, concur with the same author in his wish, that the Reform so much needed might be effected, not by gradual amendments, but by the immediate abrogation of all passed statutes, and the substitution of a new code, worthy, in all respects, of the improved philosophy of this age, and answerable to the learning, industry, and humanity of the sages who should be selected to compile and perfect it. The only objection that I have been able to find to so desirable a consummation, is its impracticability. You must be sufficiently aware, Sir, from the opposition which your own endeavours to rectify a very small part of the disorders of the existing system, have experienced; that, to wait for the hour when so extensive a plan of alteration might even be listened to with attention, would be to procrastinate all reform to an indefinite period. The ears of our lawyers and statesmen must first be habituated to the recital of imperfections, and their prejudices softened by the result of less important operations which, by convincing them that their past apprehensions of danger were groundless, may lead them to feel less confidence in the reasonableness of future terrors, before any proposal for thoroughly cleansing the Augean stable can be seriously entertained, or even tolerated, by the legislature of the country.—These, without doubt, Sir, are the views which have induced you to call the attention of the legislature towards the defects in our laws, by proposing, in the first place, the abrogation of some which, as they are the most flagrantly absurd in theory, are also the most futile and inoperative in practice. It cannot but have formed part of the considerations upon which you have proceeded, that, whatever acts of a similar tendency you may in future propose, the recommendation of them will come before the nation with tenfold weight, if accompanied by documents proving not only the harmlessness, but the beneficial results, of the measures already effected. Now, though nothing can be more certain than that the punishment of death, being attached to offences which no man, with the common feelings of humanity, can ever think deserving of it, increases the chances of escape upon which offenders calculate, and, consequently, tends to augment the number of offenders; though the converse of this proposition be also true, namely, that, by substituting a milder punishment, the chance would be diminished, and the

number of offenders consequently lessened; though, upon the whole, it be unquestionable that a Reform of the entire system of Penal Law, proceeding upon this principle, would necessarily lead to this desirable end; I nevertheless doubt, whether any very palpable diminution in the number of offences is to be expected from the repeal of a few laws so seldom enforced as those which you have been lately, and still are engaged, in subverting. I do not state this doubt as in the slightest degree tending to invalidate the grounds of justice and humanity upon which the propriety of such a repeal is established; but only, as the foundation of my opinion, that you are not likely to reap, from its accomplishment, (if an unconnected and solitary measure,) that advantage, in respect of testimony, to the beneficial result of your views, with which it is highly desirable that you should be armed whenever you may hereafter come forward to propose the ulterior and more important objects of Reform.—This leads directly to another view of the question, respecting which no possible doubt can be entertained; but as to the propriety of making it a matter of leading and previous, or only of auxiliary and subsequent consideration. —When it is proposed to abolish a penalty hitherto attached to certain offences on the ground of impolitic severity, the first question to be asked is, what other penalty would you substitute in its place? Now it appears to me most immediately essential to the utility of the proposed abrogation, that the nature of the penalty to be substituted should be, in the first place, deliberately weighed, and that species and degree of punishment of course preferred which is best calculated to answer the only legitimate purposes of Penal Law, the prevention of crimes, and the correction of offenders. The merits of the best founded proposal, for mitigating the severity of a law, can never be fairly submitted to the test of experience, unless accompanied by a suitable and equal attention to the expediency of that which is proposed to be the mitigated penalty.—For a considerable period, Transportation has been the punishment usually substituted to that of death in cases where the mercy of the judge has intervened to save the offender from undergoing the utmost rigour of the law, and the same punishment has also been frequently enacted by the Legislature. Of the political advantage to Great Britain of colonizing New Holland at all, or of colonizing it in this particular manner, I do not presume to offer any opinion. But, considering the punishment of Transportation only in its results as connected with the present subject, I believe you will allow that its efficacy is at least open to doubt and deserving of investigation. The fear of punishment may, in some cases, be powerful enough to dissuade from the commission of crimes; but considering the ignorance, the poverty, and the habitual depravity, of the great mass of criminals, I cannot think so well of human nature as to suppose that the prospect of losing their native country can be very terrible to the majority of those who subject themselves to the deprivation. As to the correction of offenders, I have heard that the greater number of those who have returned from Transportation, have returned more accomplished in vice than they went out; and, considering all the circumstances of their condition, I am far from thinking this representation improbable or believing it to be exaggerated. Some, no doubt, (I would willingly believe that the number is not small), have availed themselves of the opportunities afforded them to retrieve by industry and good conduct, in their new place of habitation, the character and the happiness which they had thrown away while in their native country. But those who are so favourably disposed remain for the most part settlers in the land which they have thus compulsorily adopted for their own. This also is a matter deserving of very close and diligent enquiry; and, if the number of persons so reformed and placed in situations of greater comparative happiness than those of which their crimes had dispossessed them, appears upon investigation to be so considerable as the advocates for this colonizing system have sometimes represented it to be, that will certainly be an argument of some weight in its favour. But on the other hand there will be to be weighed against it the consideration of so many valuable citizens lost to the mother country, and there will remain to be discussed the questions, whether by the adoption of proper modes of punishment at home, the same or a greater number of offenders might not have been reclaimed and preserved to the state? Whether, if banishment is allowed to be in some cases expedient, it is expedient to any thing like the extent in which it is at present resorted to? Whether banishment for a

limited number of years is to be considered as beneficial in any case, or whether, on the contrary, it should not always be for the life of the offender, and confined to cases either of great enormity in themselves or of a peculiarly dangerous tendency to the state? —However, whether the present system of Transportation for petty offences is to be persevered in, or not, it is evidently most important, towards giving its due effect to any relaxation of severity in respect of crimes now subject to capital punishment, that the state of the prisons be most strictly attended to; and (coupled with that consideration) that arrangements be made for introducing a system of hard labour and severe and watchful inspection of the prisoners, upon plans already laid down by persons of the greatest experience, understanding and benevolence. A prejudice against the adoption of hard labour as a general and extended system seems to have been hastily taken up by unreflecting men in consequence of the lamentable failure of some experiments of that description which were formerly made.—But several excellent writers have sufficiently explained the causes of that failure, and accounted for it, upon such principles as would (if attended to) effectually provide against the recurrence of a similar disappointment. Other difficulties have been started, and more will unquestionably present themselves, during discussion; to detail and combat which would not be a very short, nor (in some respects) a very easy task; but I am persuaded that the object might be brought about by proper management; and the true way of effecting it would be, in the first place, to propose such a general plan as may, upon the fullest deliberation, appear least liable to objection; leaving it open to such amendments as may afterwards, either in discussion, or in the event of experience, be found essentially necessary.—The occasional use of solitary confinement is another branch of gaol discipline, which would naturally come under review, at the same time with that to which I have just adverted. So also would the practicability of introducing with effect the use of rewards for industry and good conduct, as an instrument of reformation; and, above all, the very important consideration of what is to be done with criminals, when the term of their imprisonment has expired, and they are about to be thrown back upon the world, from which their offence has for a time secluded them. Though I am well aware, that the state of Pennsylvania, at the time of the reform in the criminal code of that province, was so different from that of England, that the measures adopted in one country, cannot be applied with certainty as precedents for the conduct of the other, yet I have no doubt that the regulations of the Philadelphia House of Correction (which are subjoined to the excellent treatise of Mr. Bradford) may in many respects be introduced into our prisons with all the beneficial consequences which are said to have resulted from them in the country, where they have been introduced. Nearly twenty years have now elapsed since the experiment was first made in Pennsylvania, and since the publication of Mr. Bradford's "Inquiry." It has often struck me, therefore, that the most important document that could be obtained for the furtherance of liberal and benevolent views, of the same nature in this country, would be a faithful, and minute report of the progressive state of crimes and punishments in Pennsylvania during that period; Mr. Bradford's book being sufficient evidence of the prior condition of the province in those respects, from a comparison with which, a calculation might then be made, of the real benefits or disadvantages of every particular branch of the reformed system.—I would not be supposed, Sir, to entertain a moment's doubt of your grave, and deliberate intention, to bring these matters forward, at some future period, as part of the scheme you have designed for the melioration of our laws; nor should I have thought of addressing to you this letter, on any other ground than that of suggesting to your wisdom and experience, as worthy of consideration, whether some plan for the reform of prison discipline, as well as an inquiry into the results of the punishment of transportation, ought not to precede any great and important alteration of the penal code? Whether, in short, before some regular and invariable system is adopted in the execution of corrective justice, it is reasonable to expect any very sensible diminution of the general sum of crimes and misery from the repeal of laws inflicting capital punishment, however cogent may be the reasons of such repeal on the principles of humanity, policy, and justice, and however the proposers of it may, upon those principles, be entitled

to the thanks of their fellow countrymen, and to the praise and honour of posterity? I am, Sir, with the greatest respect, Yours,

INDAGATOR.

LIBERTY OF THE SUBJECT.

"Discreto est, scire per Legem quid sit justum." 10 Co. 140.

Sir;—The eloquent oration of the learned Ex-Chancellor of Ireland (Mr. Ponsonby) must have been, no doubt, peculiarly cheering to the advocates for the very extensive Privileges claimed by the House of Commons. This Gentleman may now, I think, be hailed as the Atlas of the House of Commons; for who less than an Atlas could support privileges which the learned Gentleman himself contended to be unlimited, illimitable, undefined, and indefinable. That the Learned Gentleman could so luminously prove to his own satisfaction in an elaborate argument of some hours, what must be incomprehensible to every mind but his own, will surely raise the indignation of the Sister Country against that Ministry whose accession to power deprived them of so invaluable a Chancellor. I should think Ministers could hardly have foreseen the odium that must necessarily attach upon them, when they called in aid the mental powers of the learned Gentleman, and greeted his herculean labours with such continued plaudits. Arguments in support of uncontrouled power must in their nature be gigantic. Mr. Ponsonby's appear so capacious, that like Fame in Virgil, they elude the grasp of man to visit the kindred clouds, "*et caput inter nubila condit.*" It was the bane of Philosophy that the unintellible dogmas of Aristotle prevailed in the schools a thousand years. At length a Bacon, followed by a Des Cartes, and a Newton, dissipated the unkindly gloom; and by establishing the wholesome axiom, that no deductions should be made from data not clear and indisputable, science once more resumed her station upon earth, and invigorated the human mind with her irradiations. If the opinion of the ex-Chancellor be correct, philosophy and politics, science and government, appear at the extreme poles of sublunary space, doomed to remain in perpetual opposition. To be wise, says Philosophy, assume as true nothing that is ambiguous; would you have the best of Government, says Politics, (through Mr. Ponsonby) you must be kept in ignorance; you must delegate a power exceeding all definition, passing all bounds. I will not enquire into the principle of this extraordinary variance between Science and Politics; I will leave that to Mr. Ponsonby. I will take the liberty, however, of making a few comments on the Speech of this Gentleman as related by the newspapers. Mr. Ponsonby has asserted, it seems, that the Constitution necessarily vests a discretion somewhere; and he then asks, where it can be so safely and properly depósited as in the House of Commons. Does the learned Gentleman mean by discretion, what Lord Coke has said of it in my motto? If he does, then Law and Discretion are synonymous terms; and I believe in that most Lawyers will accord. If Mr. Ponsonby means by discretion what my Lord Coke did not; does he affix to it the popular meaning given by Dr. Johnson? "The liberty of acting at pleasure; uncontrouled and unconditional power?" I rather presume, as the learned Gentleman was contending that the written laws of the land did not apply to the House of Commons, he must intend to give to discretion the interpretation I have just quoted. Indeed it can, in respect of the Privileges of the House of Commons, admit but one of two meanings; Either that the Privileges are governed by the Laws of the Land, in which case the Judges, as the constitutional expounders of the Law, must take cognizance of them; or the Privileges of the House of Commons are not limited by the law, but are merely the result of the fluctuating will and pleasure of the House; or in other words, are "uncontrouled and unconditional power." The learned Gentleman is no doubt aware, that all Constitutional Writers have defined Tyranny to be uncontrouled power vested in any body of men, whether it consist of considerable or small numbers. Yield then to the learned Gentleman the Privileges for which he contends, and you yield him a Tyrannic Government. The learned Gentleman will, I have no doubt, say, what every political Tyro has been taught from infancy to manhood, that our Constitution is not Tyrannical; that the three Estates of which it is composed are so combined as to check uncontrouled and unconditional power in either; and that such was and ever has been the acknowledged object of the Constitution; and that in this point of view, and in this only, have those Constitu-

tional writers, Montesquieu, De Lolme, and others, panegyrised the English Government as the most perfect that has ever yet appeared. And yet must the learned Ex-Chancellor either concede to us, that those writers were totally mistaken in respect of our Constitution, and that it is undoubtedly tyrannical; or if he claim their panegyrics, then must he abandon his contest for the privileges in question. The learned gentleman has however asserted, that a discretion is necessarily vested somewhere; and by way of illustration, he suggests, that the final decision of the Lords in appeal is a discretionary power. Now, I really do not comprehend how the Lords can be said to have a discretionary power in this instance. It must be remembered that all Appeals to the Lords must be on a question of Law, not of fact; for of the fact, a Jury, and a Jury only can decide. An appeal therefore arises from this; that a Judge before whom the question of Law has been discussed, has given such an exposition of the Law, as he in his conscientious judgment has felt correct; but, that this decision having been unsatisfactory to one of the litigant parties, he appeals to a higher Tribunal, to have also its exposition of the Law; and supposing this Tribunal to be the Lords, whose Judgment is final, who in common sense can attribute to it discretionary power? The Judge who first decided gave his opinion of the Law; the Lords, who are afterwards the Judges, give their exposition of the Law: what is there here of discretion, except that discretion, which my Lord Coke calls, 'scire per legem quid sit justum." The Ex-Chancellor's Argument, I confess with great deference to his experience, has not even speciousness, much less solidity. Equally fallacious does it appear to me, when Mr. Ponsonby speaks of the discretion of a Judge in cases of contempt of his authority. Here the Gentleman talks of discretion being necessarily vested in the Judge. Does the learned Gentleman mean here, "uncontrouled and unconditional power?" I do not know, whether that was the opinion the learned Ex-Chancellor entertained of his power during his Chancellorship; if it was, I will venture to assert, that the learned Gentleman ought never to have been made a Judicial Officer; for sure I am, that there exists not a Judge in England who ever dreamed of any such power; nor does the Constitution delegate any such power to any Judge or Judges whatever. If in cases of contempt a Judge has this uncontrouled power, then he may for disobedience of his authority, transport for fourteen years, commit for an indefinite period to solitary confinement, or punish with the pillory. Was this the discretionary power the learned Ex-Chancellor thought he possessed in Ireland? Why Sancho Panza, the illustrious companion of Don Quixote, would have represented Astrea herself, compared with a Judge, holding such principles. With respect to the punishment of contempts by the Lord Chancellor of England, of which the learned Gentleman said so much by way of analogy, I should be much inclined to suspect the learned gentleman's knowledge of the practice of a Court of Equity. The contempts of which the Lord Chancellor takes notice, are those acts which interfere with his judicial duties. For instance, preparatory to a suit being in a state of maturity to call for his Lordship's judgment, many orders are made, which in the technical language of the Court are called interlocutory orders; it is quite manifest that unless these orders are obeyed the suit must be delayed; and that a Judge, to deal out justice to the Suitors of the Court, must of necessity enforce obedience to such orders.—The Court does this by commitment of the party until satisfaction be made for the injury the disobedience has occasioned to the Suitor; but does the learned Ex-Chancellor of Ireland, imagine that a Lord Chancellor of England can punish with uncontrouled and unconditional power. Let him ask my Lord Eldon this question. Let me intreat Mr. Ponsonby, to interrogate my Lord Erskine upon this subject.—All contempts of court, I assert, are punished as injurious to the suitors of the respective courts, and not as injuries to the judge or judges presiding in them. This is the principle, and the only principle on which commitments for contempt are founded. All other offences must be the subject of civil action, or criminal prosecution. Mr. Ponsonby has adduced an extraordinary argument drawn *ab incommodo*. He has talked of the palpable inconveniency and inconsistency of a judge waiting at the door of a grand jury room. Admirable Eastern tenets these! What says the Grand Sultan? he exactly accords with the Ex-Chancellor of Ireland—Wait at the door of a grand jury room—Insolent admonition! Let the wretch be bow-strung. Let me ask the Ex-Chan-

cellor, if he had been walking the streets of Dublin, and some ruffian had assaulted, robbed, and reviled him with the coarsest expressions, whether he could have had any redress but by criminal information granted upon his affidavit of the injury sustained, or by waiting at the door of a grand jury room. The latter, I believe, could have been his only course. If a grand jury room, of which the gentleman has spoken so contemptuously; which has so much wounded his feelings; is the constitutional means of redress, to which the wisest, greatest, best of men are daily resorting, why should it be so abhorrent to the feelings of the Ex-Chancellor of Ireland, or any other Judge. Has the learned Ex-Chancellor so quarrelled with the Constitution that the most amiable of its institutions must be sacrificed to his indignation. Let me ask, if some wretch were to assault our aged and revered Monarch, whether his Majesty could commit and punish the offender? But what is Majesty to a Judge! To an Ex-chancellor of Ireland!—I really, Sir, have been endeavouring to collect from the Speech of the learned Gentleman something that may be considered a tolerable Answer to the Arguments which have been urged against the exercise of the Privileges of the House of Commons to the extent claimed.—From a *ci-devant* high law officer, I expected something having, at least, the appearance of solidity; but, I confess, I perceive nothing of so "questionable a shape." I see considerable ebullition of passion at the supposed indignity of resorting to the means pointed out by our admirable Constitution for obtaining redress for Injury; and I have found the term discretion used without any precise, or if precise, with at least a very absurd interpretation. I will concede to the learned Gentleman what the newspapers have attributed to him; considerable eloquence; but I cannot concede to him, what I would most readily, could I discover it, one single consistent, solid, satisfactory argument. I discover, in fact, no emanation of the learned Gentleman's wisdom, which is an answer, in the most remote degree, to the eloquent, manly, constitutional speech of Lord Erskine, who has proclaimed to his fellow subjects his noble resolution, never to desert the "Dominion of the Law."

Lincoln's Inn, W. F. S.
May 16, 1810.

CITY OF LONDON MEETING.

The following are the RESOLUTIONS and the PETITION agreed to by the Lord Mayor, Aldermen, and Livery of the City of London, on the 4th of May, 1810, relative to the Imprisonment of SIR FRANCIS BURDETT; and also relative to a Reform of the Commons' House of Parliament.

SMITH, MAYOR.

In a Meeting or Assembly of the Mayor, Aldermen, and Liverymen of the several Companies of the City of London, in Common Hall assembled, at the Guildhall of the said City, on Friday, the 4th day of May, 1810.

RESOLVED, 1. That the Livery of London, impressed with the deepest sentiments of alarm, regret, and indignation, at the late extraordinary and unconstitutional proceedings of the House of Commons, which, by the arrest and imprisonment of two of their fellow-subjects, have superseded the laws of the land, and set up in their stead, under the claim of privilege, an undefined, capricious, and arbitrary power, feel themselves irresistibly called upon to express, at a crisis so new, so arduous, and so fatal to their rights and liberties, their unqualified reprobation of measures equally subversive of the first principles of the Constitution, derogatory to the real interests and dignity of the House of Commons, and injurious to the honour, glory, and happiness of the Sovereign, and the people of these realms.

2. That it appears to this Meeting, that the Commons House of Parliament, in committing to prison Mr. John Gale Jones, and in breaking open the house of, and in also committing to prison one of their Members, Sir Francis Burdett, Bart. for alledged libels upon themselves, offences which, if established, were provided against by the laws of the country, have been at once accusers, legislators, judges, jurors, and executioners in their own cause, sheltering themselves under the pretence of privilege, and exercising a partial and summary jurisdiction, without redress or appeal.

3. That the whole system of British jurisprudence has been thus shaken to its foundation, and a discretionary power assumed over the rights and liberties of the people as declared and established by the Great Charter, repeated and confirmed by the Petition of Right and the Bill of Rights, and recognized, enforced, and illustrated by a multiplicity of statutes,

4. That it has been idly and vainly enacted and re-enacted, "That no Freeman may be taken or imprisoned, or deprived of his freehold or his liberties, or of his free customs, or to be outlawed or exiled, or in any manner destroyed, but by the judgment of his Peers or by the law of the land," if the House of Commons, which is itself but a single branch of the Legislature, do, to use the language of the Bill of Rights, against the detestable tyranny of James II. "by assuming and exercising a power of dispensing with and suspending of laws, and the executing of laws without the consent of Parliament," set itself above Parliament, making itself greater than the whole of which it is but a part, dispensing with the laws which give to all a remedy against commitments by the King himself, and thus erecting itself into a new and monstrous Executive, the more dangerous to the lives, liberties, and fortunes of the subject, inasmuch as it claims for its rule of action its own discretion, will, or caprice.

5. That the true privilege of Parliament, meaning nothing more than a protective right, was really designed as an immunity and safeguard, to be wielded as a shield against the encroachments, usurpations, and tyranny of the Crown—not to be converted into an active power of violating the rights of others, into an instrument of annoyance, and a sword of destruction against the people.

6. That the cordial thanks of this Meeting be given to that illustrious Patriot, Sir Francis Burdett, for his upright and independent conduct in Parliament; for his truly constitutional and irresistible Argument, disproving the power of the House of Commons to imprison the people of England, and for his legal and manly resistance to the Speaker's warrant, whereby he has given a practical illustration of its inefficacy, and demonstrated that, as there is no legal power without the legal means of execution, it could not be carried into effect without the aid of a standing army, a violation of the ancient laws and rights of Englishmen, and which, in his instance, was so lamentably exemplified in the breaking open of his castle, and so fatally preceded and followed by the murder of peaceable and unoffending citizens.

7. That this Resolution be communicated to Sir Francis Burdett by the Sheriffs, and a deputation of the Livery, who are desired, at the same time, to assure him, that however grateful his release from arbitrary confinement would prove to the Citizens of London, his liberation would be no Jubilee to the British People, unless obtained by the triumph of those grand principles which in his person have been so shamefully and flagrantly violated.

8. That this Meeting would become accomplices in the ruin of their Constitution and Country, were they to decline stating what appears to them to be the fact, that the House of Commons has repeatedly rejected just and necessary inquiry, screened public delinquents and peculators from punishment, encouraged the scandalous traffic of seats in their own House, a traffic, "at the mention of which their ancestors would have startled with indignation," sanctioned the most profligate waste of the public money, and approved and justified an expedition the most numerous, formidable and expensive that ever left the shores of England, but the most degraded, disgraced, and ruinous that ever returned, alike destructive of the genuine energies of the empire, and holding out to the contempt and ridicule of the enemy the folly and imbecility of corrupt and wicked Ministers.

9. That under all these evils and calamities—these accumulated and accumulating grievances, it appears to this Meeting that no chance is left for the salvation of the Constitution and the Country from impending ruin, but a Reform in the Representation of the People in the Commons House of Parliament, which, to be efficient, must be speedy and radical.

10. That the people of the United Kingdom are hereby entreated to co-operate, by petition, remonstrance, and all constitutional means, in the attainment of this salutary and indispensible object.

11. That a Petition founded on these Resolutions, be presented to the Honourable the House of Commons.

12. That the Petition now read be fairly transcribed and signed by two Aldermen and twelve Liverymen, and presented to the Honourable the House of Commons, by H. C. Combe, Esq. Sir W. Curtis, Sir C. Price, and Sir J. Shaw, Bart.; and they are hereby instructed, as Representatives of this City, to support the same.

13. Resolved unanimously, That the thanks of this Hall be given to Alderman Combe, one of the Representatives of this City, for the discharge of his duties, and for his constitutional conduct in Parliament.

14. Resolved unanimously, That the Thanks of this Hall be given to the Right Hon. the Lord Mayor, for his impartial conduct this day, and for his upright and honourable conduct as Chief Magistrate, and his constitutional endeavours to preserve the peace of the City without the aid of the military.

15. Resolved unanimously, That the thanks of this Hall be given to the Sheriffs, for their constitutional endeavours to preserve the peace of the City without the aid of the military.

WOODTHORPE.

TO THE HONOURABLE THE COMMONS OF THE UNITED KINGDOM OF GREAT BRITAIN AND IRELAND, IN PARLIAMENT ASSEMBLED.

The humble Address, Remonstrance, and Petition, of the Lord Mayor, Aldermen, and Livery of the City of London, in Common Hall assembled, this 4th day of May, 1810.

We, the Lord Mayor, Aldermen, and Livery of the City of London, in Common Hall assembled, beg leave, with feelings of the most anxious concern, to present this our humble Address, Petition, and Remonstrance; and we earnestly entreat your Honourable House to give to it a favourable reception; for how can we hope for redress and relief, if the bare statement of the wrongs and grievances of which we complain be rejected? We also beg your Honourable House to believe, that in the language we may have occasion, and are indeed compelled to employ, no offence is intended to your Honourable House.

The circumstance which most deeply affiicts us, and which most strongly impels us at this time to approach your Honourable House is, what appears to us to have been, on your part, a violation of the personal security of the people of the land. We humbly conceive, that, without law, and against law, you have imprisoned two of your fellow-subjects, and that, without a trial, without a hearing, you have condemned them. Law requires legal process and trial by Jury of our equals. Justice demands that no person shall be Prosecutor, Juror, Judge, and Executioner, in his own cause. We beg leave to express our conviction that this eternal principle of immutable justice cannot be annulled by any House of Commons, by any King, by any Parliament, by any Legislature upon earth. But it appears to us that your Honourable House have, in the instances of Mr. John Gale Jones and Sir Francis Burdett, assumed, accumulated, and exercised all these offices.

We feel it a duty which we owe to you, to ourselves, to our posterity, to state, that, in our conception, this jurisdiction is unfounded; and we humbly, but firmly declare our opinion against the existence of this power in any hands;—a jurisdiction unknown to us, a power above the law, and which could be enforced only by military violence; a violence made manifest by the breaking open of an Englishman's castle, made by the preceding and and subsequent murder of peaceable and unoffending citizens.

Permit us humbly to observe, that the construction of your Honourable House prevents our surprise at this conduct of your Honourable House. We will not enter into the detail, so often and so ably stated to your Honourable House, by which it appears, that upwards of three hundred Members of your Honourable House, in England and Wales only, are not elected by the People, in any honest sense of the word People; but are sent to your Honourable House by the absolute nomination or powerful influence of about one hundred and fifty Peers and others, as averred in a Petition to your Honourable House in the year 1791, and which remains on your Journals uncontroverted. This is the great constitutional disease of our country. This is the true root of all evils, corruptions, and oppressions, under which we labour. If it be not eradicated, the nation must perish.

In support of this our sincere conviction, we need only refer to the never-to-be-forgotten Vote of your Honourable House, refusing to examine evidence on a charge against Lord Castlereagh and Mr. Perceval, then two of the King's Ministers, for trafficing in seats in your Honourable House.

We remember well, that when it was gravely averred, and proof offered, in a Petition which stood on your Journals, and the complaints thereof unredressed for more than twenty years, "That seats for Legislation in the House of Commons were as notoriously rented and bought as the standings for cattle at a fair," the then Honourable House treated the assertion with affected indignation, and the Minister threatened to punish the Petitioner, for presenting a scandalous and libellous Petition. But we have lived to see a House

of Commons avow the traffic, and screen those accused of this breach of law and right, because it has been equally committed by all parties, and was a practice "as notorious as the Sun at noon day." At this Vote, and at these practices, we feel as "our ancestors would have felt," and cannot repress the expression of "our indignation and disgust."

Under these circumstances, may we not be permitted to ask, where is your justice, where your dignity? Mr. John Gale Jones is confined within the walls of Newgate, for an alleged offence against yourselves, which, if committed against any other subjects of these realms, or even against the King himself, must have been adjudged by the established Rules and Laws of the Land! Lord Castlereagh continued to be a principal Minister of the Crown, and is now a free Member of your Honourable House! Sir Francis Burdett, dragged by a military force from the bosom of his family, is committed to the Tower for exercising the right of constitutional discussion, common, and, indeed, undeniable to you, to us, to all! Mr. Spencer Perceval continues a Member of your Honourable House, taking a lead in your deliberations, the first Minister of the Crown, and the chief adviser of the Royal Councils!

Under the agonizing feelings excited by the late imprisonment of our fellow subjects, can it be necessary for us to recapitulate the many instances, as thus appears to us, of refusals to institute just and necessary inquiry; to pursue to condign punishment public delinquents and peculators; to economize the means and resources of the State; to administer to the people relief and redress for the various disgraces which the national honour has sustained, for the lavish profusion of British blood and treasure, extravagantly wasted in ill-contrived and fruitless campaigns, and more particularly in the humiliating and ignominious expedition to the Coast of Holland, in which the greatest armament that ever left our shores, was exposed to the scorn, contempt, and ridicule of the enemy; and the flower of the British Army left ingloriously to perish in the pestilential marshes of Walcheren, without succour! without necessity! without object! without hope!

These and similar proceedings of your Honourable House require no comment; but we cannot, by our silence, become accomplices in the ruin of our country; and dare not conceal from you the wholesome, though unpleasant, truth, that they appear to us to have materially shaken what remained of the confidence of the subjects of these realms in the wisdom of your Honourable House.

We therefore humbly, but firmly, entreat you to reconsider your conduct, to retrace your steps, and to expunge from Journals all your orders, declarations, and resolutions, respecting Mr. Gale Jones and Sir Francis Burdett; and that as Sir Francis Burdett has not been expelled from your Honourable House, he be no longer prevented from exercising therein, all the duties of a Member of the same.

Above all, we earnestly pray your Honourable House, in conjunction with Sir Francis Burdett, and in conformity to the notice he has given, to devise and adopt such measures as will effect an immediate and radical Reform in the Commons' House of Parliament, and insure to the People a full, fair, and substantial Representation, without which, they must inevitably cease to exist, a great, a free, a glorious, and independent nation.

PROCESSION

OF THE

LIVERY OF LONDON:

Preceded by Mr. Sheriff Wood, in state, to the Tower, Wednesday, May 9.

This being the day appointed for the presentation of the Resolutions voted by the Livery at their last Common Hall, a considerable concourse of the people had assembled in Guildhall-yard, soon after 11 o'clock. Between 12 and 1 o'clock, Guildhall had become extremely difficult of access, from the number of carriages with which King-street was crowded. A few minutes before one o'clock, Mr. Sheriff Wood, attended by his Under Sheriff, J. Smith, esq. arrived in his state carriage at Guildhall, from whence the procession set out at a few minutes after one o'clock.

The carriage of the Sheriff was preceded by several officers of the Sheriff, Marshalmen on foot, and the City Marshals on horseback. The Sheriff's carriage was followed by those of colonel Wardle, Mr. Favell, and nearly fifty others. It was not originally intended that the number of the Livery should exceed twenty, and it was only on the preceding day that the alteration of that intention had become known, through the

medium of private communications only. Had the notice of the expected attendance of the Livery in general been made public, there is little doubt that the attendance would have surpassed that on any former occasion. As it was, many Liverymen, only heard in the course of the morning that the Deputation originally intended was given up, and there was much bustle to form part of the procession, though, from this circumstance, more than an hundred were, unfortunately, too late. The number of the Livery altogether who attended on this occasion, amounted to between two and three hundred; among whom were Mr. Alderman Goodbehere, Colonel Wardle, Mr. Waithman, Mr. Favell, Mr. Miller, Mr. Wright, Mr. J. Nicholson, Mr. Hurcomb, &c. &c.

The avenues leading to Guildhall-yard were so completely thronged, that the procession moved slowly, and with difficulty, through Cheapside, where the multitude was not smaller than in King-street. The air was rent with acclamations, from the moment that the procession moved. The windows, filled with ladies, presented an appearance, such as wont to be exhibited on Lord Mayor's Day, when that Civic Festival was conducted with the splendour of ancient times. The names of "Burdett" and "Wood" were repeated in shouts by a delighted multitude; and colonel Wardle was the subject of enthusiastic applause during the whole progress of the cavalcade, which passing up Cornhill, turned down Grace-church-street, from thence into Fenchurch-street, down Mark-lane into Tower-street, where a note was delivered to the Sheriff from Earl Moira, of which the following is a copy:—

"Lord Moira presents his compliments to the Sheriffs of London, and lest any circumstances should be exposed to misconstruction, intreats their care to keep back, from the neighbourhood of the barrier, any crowd that may happen to accompany them. Were there to be any concourse of people near the barrier, the rules of military discipline would oblige lord Moira to keep it shut. The Sheriffs of London would then have to alight at the wicket, and to walk into the Tower, a trouble which lord Moira would wish to spare them, from every motive of personal consideration towards them, and of respect to the City."

"*Tower, Wednesday Morning,*
May 9th, 1810."

The respectful intention of his Lordship was, however, completely frustated, for on coming within view of the Tower-gate, the multitude was so great, that it was with difficulty the procession could reach the "barrier." The City Marshal riding forward, announced the approach of the Sheriffs and Livery of London, on which earl Moira gave orders for admitting them, although from the considerations stated in his note, he felt himself under the necessity of declining to admit the carriages. Mr. Sheriff Wood and his Under-Sheriff alighting, were received immediately on their entrance by earl Moira with the most respectful courtesy and dignified politeness. The guard was turned out and presented arms on the Sheriffs entering the first court. It was more than 20 minutes before the whole of the Livery alighted from their carriages, during which time lord Moira conversed with the Sheriff and several gentlemen of the Livery. The procession then moved forward. Colonel Smith, Commandant of the Tower, leading the way, followed by the City Marshals, the Sheriffs, and the Livery, two and two. In this order they proceeded to the Esplanade in front of the house in which sir Francis Burdett resides; and, as the Company passed, earl Moira distinctly saluted every person in the procession, all of whom complimented his Lordship by passing uncovered. On approaching the house of sir Francis Burdett, the baronet advancing into the open space immediately before the house, respectfully saluted the Sheriff and the Livery, and expressing his regret that he had not a room sufficiently capacious for their reception, added, that as the weather was favourable, he trusted no inconvenience would be experienced, by receiving their commands in that situation. The Livery then ranged themselves in an oval, two deep, sir Francis placing himself at about one-third of the distance from the end nearest to his house.

Mr. Sheriff Wood, advancing with a copy of the Resolutions in his hand, addressed sir Francis Burdett, to the following effect:—

"Sir;—I have the pleasure of now holding in my hand the Resolutions of a Meeting of the Livery of London, in their Common Hall assembled; a Meeting, Sir, which, in point of numbers and respectability, has been rarely equalled in the City of London. Those Resolutions, passed by the Livery of London, at that

Meeting, with so very few dissenting voices, as to have been the almost unanimous expression of the thousands there assembled, I am directed to convey to you, and in so doing, I feel it incumbent on myself to assure you, that they were passed by the large and respectable body of Citizens, of which the Livery of London is composed, with a feeling of personal respect and regard towards yourself, individually, as marked as that by which they designed to express their deep interest in the general welfare of the nation. A more perfect and sincere sense of grateful feelings of respect, esteem, and veneration for the conduct you have so steadily maintained, could not, I am sure, have been expressed by any Meeting. My Under Sheriff will now have the honour of reading the Resolutions, previous to my having the pleasure of delivering them into your hand."

Mr. Smith, having read the Resolutions, they were then delivered, by Mr. Sheriff Wood, into the hands of sir Francis Burdett; who, on receiving them, bowed respectfully, and pausing for a few seconds, evidently under the impression of feelings by which he was powerfully agitated, addressed the Sheriff and Livery in the following words:—

"GENTLEMEN;—The highest reward that can be bestowed upon a faithful Representative of the People, is the approbation and confidence of the People—it is the best, because it enables him most effectually to serve the People; and, highly as I estimate the honour done me by the Livery of the first City, perhaps in the World, certainly of this United Kingdom, it is for the before-mentioned reason that I value it most. It is by similar expressions of the public will, that great good may be effected, unattended by any of those evils which bad men have insinuated was designed to be produced, and of which insinuations timid men have been too easily the dupes.

"Upheld by these sentiments, and by the approbation of my fellow subjects, I estimate very lightly the personal inconvenience to which I have been, and still am subjected. And I am happy in an opportunity like the present to state, that those inconveniences have been diminished as much as possible by the kindness of my lord Moira, the Governor of the Tower. Gentlemen, the advantages our Country will derive from the transactions which have recently taken place, I flatter myself, will be great. And should they only produce the able and constitutional argument delivered by the late Lord Chancellor of England, Erskine, in the House of Lords, on Monday last, I should say they had been great; there breathes the spirit of our forefathers; it brings back to our recollection better times, and better lawyers, and coming from such high legal authority, and sanctioned by the still higher authority of reason, the foundation of all law, cannot fail of making a deep impression on the public mind, and of powerfully aiding those great constitutional principles, of which Lord Erskine seems to be almost the last legal deposit, upon which every man's safety depends, and for maintaining which, by every means of legal resistance, against the violent attacks of arbitrary power, I have had the good fortune to meet with your approbation. But even this would not have been valued by me, as it now is, had it not been accompanied by that expression of your determination to use every exertion to promote, the only measure wise men will think of any great importance to the Country; a radical Reform in the Representation of the people, of which free election is the vital principle. In the necessity of some reform in the representation, it appears, all parties now agree, except those immediately carrying on the corruption, or fattening on the spoils of the Country. Gentlemen, it has been artfully misrepresented by the leaders of faction, that the public and myself; for I know not what they mean by my party, unless it is the public; are very illiberal in denying honesty to every man who differs, in the slightest degree, from ourselves; but, Gentlemen, though I certainly entertain a very mean opinion of the patriotism of the leaders of either of the factions, which have so long distracted and deluded the Country, either of Whigs or Tories, "between which two thieves," says Mr. Ralph, the historian, "This nation hath been crucified," yet I am persuaded that, under both these unfortunate nick-names, are enlisted a great many honest Englishmen, both Whig and Tory; who, though dissatisfied with, and ashamed of, the tergiversations of their leaders, still do, from habit and circumstances, reluctantly hang on and allow themselves to be counted in the ranks. But an upright honest opinion, not a sham mercenary pretence, surely no man ought, and I am certain no man does, more respect

than myself, however widely differing from my own; and I trust the time is not far distant when independent men, disregarding the watch-words of faction, will unite to put an end to peculation; to a borough-monger system, grinding the faces of the poor, and undermining the security of the rich; will unite to re-establish legal government, and to curb arbitrary power, whether exercised directly by the executive Magistrate, or indirectly by means of a corrupt House of Commons. Such, and such only, are in my mind honest men, and can, with truth, be said to love their King and Country. We want nothing but what the law ordains; no new schemes, no half measures; we want no plan of Reform from any man, but the Constitution of England, as by law established. Why should the People of England receive lord Grey's plan? or lord Grenville's plan? or Mr. Brand's plan? or sir Francis Burdett's plan? or any other man's plan? The proposition made by me last year was not to adopt any plan of mine, but the law of England; this is all the public require, less than this they cannot take, more they do not demand; such, at least, is my conception of the matter, and such my opinion—hold to the law, for the new corn must come out of the old fields.

"Gentlemen, I am truly sensible of the honour you have done me, and beg you to accept my best acknowledgments; and you, Mr. Sheriff Wood, for your handsome conduct."

Immediately on the conclusion of this address, which excited a general feeling impossible to be described, the Livery crowding round Sir Francis Burdett, offered their individual congratulations, which he received with that dignified affability, by which his manners are at all times so conspicuously marked. In about ten minutes, the Sheriff taking his leave, the Procession moved back in the same order to the Wicket—Earl Moira saluting, as before, every individual Gentleman. As the carriages drew up at the barrier, his Lordship remained at the Gate, in conversation with different Gentlemen of the Livery, until the last carriage of the procession moved off.

The dignified and respectful attention with which his Lordship conducted himself on this occasion, was precisely that which every gentleman would anticipate from a Nobleman of exalted rank and character—blending at once dignified demeanour with the highest polish and refinement of the high-bred Gentleman.

The multitude was greater on the return than during the progress of the Procession, which now moved up Tower-hill, towards Crutched-friars. But long ere the Sheriff's carriage reached the square in front of the Trinity House, the horses were taken off, and the Sheriff was drawn by the united exertions of a number of his fellow-citizens. It was easy to foresee that Colonel Wardle would not be suffered to pass without a similar testimony of respect—the horses were taken also from his carriage, which moved through the multitude, that rent the air with shouts of "Burdett" and "Wardle."—In Crutched Friars, the horses were taken from a third carriage, in which, as we understood, were Mr. Favell and Mr. Waithman. The procession did not return by Fenchurch-street, but, passing up Billiter-lane, turned down Leadenhall-street, and thence proceeding through Cornhill, reached Guildhall about three o'clock. The crowd of citizens was so great at the entrance, that the Sheriff and the Livery had great difficulty in getting through the Hall into the Aldermen's Council Room.

Notwithstanding the immense multitude with which the streets were lined, and particularly the narrow ones, in the neighbourhood of the Tower, we did not hear of the slightest accident—and it is with pleasure we record the conduct and demeanour of the People, which was marked by that peaceable disposition so strikingly manifested at the late Meeting of the Electors of Westminster, in Palace-yard.

The enthusiasm with which, not only Mr. Sheriff Wood, Colonel Wardle, and other individuals in the procession, but the whole of the Livery were received by their Fellow Citizens, afford, as we conceive, a most irrefragable proof of the general sentiments of the people of the Metropolis, who appear to be fully impressed with this great and important truth, that Sir Francis Burdett is now contending, and legally contending, against the Borough-Faction—in favour of the Rights—the Liberties, and the Constitution of England.

MAJOR CARTWRIGHT'S PETITION TO THE HOUSE OF COMMONS.

To the Commons of the United Kingdom of Great Britain and Ireland, in Parliament assembled.—The PETITION of the undersigned Freeholder of England:

Sheweth,

1. That certain doctrines, which have of late been maintained, and certain decisions, which have of late been come to, in your Honourable House, have at length placed the long-agitated question of a Reform in the Representation of the People in Parliament, in a point of view, in which it cannot be rightly contemplated, without affording a demonstration, that the sole alternative left our country is, Parliamentary Reform, or National Ruin.

2. How can your Petitioner speak the emotions of his heart—what language can express his sentiments—when he thinks of the astonishing decision, by which your Honourable House, in the night between the 11th and 12th days of May, 1809, absolutely refused, by a majority of 310 against 85, to enquire into the criminal accusation, brought by a member in his place, against Viscount Castlereagh and another member, one, of having sold for a sum of money, a seat in your Honourable House; and the other, of a connivance at such sale!

3. Your Petitioner was the more shocked at the said decision, as the said Viscount Castlereagh had, not long before, when under the examination of a Committee, confessed an attempt to obtain for another placeman a seat in your Honourable House, by what, to your Petitioner appears a double corruption, in bartering for it an East India Writership; which an Act of Parliament had forbidden to be so disposed of.

4. When seats in your Honourable House are bought and sold, the people, their laws and liberties, are bought and sold.

5. Although there be not in human speech words by which the thoughts of your Petitioner on this your decision can be conveyed, he cannot dismiss the subject without saying—but disclaiming any idea of being indecorous—that such treatment of the people is beyond endurance!

6. After such a decision, and after enquiry into the criminal charge in question has been resisted on the ground of the sale of seats being as notorious as the sight of the sun at noon day, your Petitioner cannot remain silent on those truths of the Constitution, by which the dangerous error of your decision on the shocking profligacy of selling seats, and the audacity of vindicating it, must be made manifest.

7. In order to this, your Honourable House is requested to contemplate the three several species of Sovereignty with which we are familiar; namely, first, the original, inherent, and proper Sovereignty, which necessarily resides in the entire mass of the Nation; secondly, the Legislative Sovereignty, which, by delegation, resides in a Parliament of King, Lords, and Commons, (being the most conspicuous and important feature of that constitution, by which our Nation has consented to be governed;) and, thirdly, that Executive Sovereignty, which, by a further delegation, resides in the sole person of the king.

8. If your Petitioner has correctly distinguished the literal from the figurative, significations of the word Sovereignty, it will be discovered, that a Commons House, after deducting only the Royal Family, the temporal Nobles, and a few Ecclesiastics, is intended exclusively to represent and to personify the National Majesty.

9. It will also be discovered that such a House of Parliament is peculiarly the depositary of the Nation's liberty, the guardian of its property, the organ of its will; and that in fact it is the vital part of the State; wherefore it ought, on every principle of reason and political wisdom, in an especial manner to be securely fenced around, fortified, and at all points defended, by the solemn sanctions, and the awful terrors, of appropriate laws against High Treason: for "Treason is a betraying of the State: and the first and the highest treason is that which is committed against the Constitution."

10. But, instead of the Majesty of the Nation being thus enthroned; instead of this palladium of its liberties being thus guarded, the Nation sees your Honourable House, which ought to be an object of universal confidence, respect, and veneration, exposed to every abuse that can undermine, to every violation that can degrade, to every vice that can pollute and destroy it!

11. The People see it abandoned as a common prey to the factious borough pa-

tron and the trading adventurer; to the unprincipled sharper and the unfaithful Minister; to the Asiatic nabob, and even to the hostile European despot; who all know its seats to be vendible wares in which, through the agency of certain panders of corruption, they can place their agents!—That the agent of a French king's mistress had once a seat in your Honourable House, is within the remembrance, as at the time it was within the knowledge of your Petitioner. And it is well known that at one time the Nabob of Arcot purchased for his agents seven or eight of those seats.

12. The learned Blackstone hath said, that, "with regard to the elections of "Knights, Citizens, and Burgesses, we "may observe, that herein consists the "exercise of the democratic part of our "Constitution: for in a democracy there "can be no exercise of sovereignty but "by suffrage, which is the declaration of "the People's will. In all democracies, "therefore, it is of the utmost importance "to regulate by whom, and in what man-"ner, the suffrages are to be given. And "the Athenians were so justly jealous of "this prerogative, that a stranger, who "interfered in the assemblies of the Peo-"ple, was punished by their laws with "death; because such a man was esteemed "guilty of High Treason, by usurping "those rights of Sovereignty to which he "had no title. In England, where the "People do not debate in a collective "body, but by representation, the exer-"cise of this Sovereignty consists in the "choice of Representatives."

13. So your Petitioner contends, that when a Minister of the Crown, or a Peer, or other disloyal person, either by purchase or barter, by nomination or undue influence, seats a member in your Honourable House, he, by usurping a right of Sovereignty to which he has no title, is guilty of High Treason; and that every species of buying and selling of seats, and the interference of any person whatever for corrupting, or for violating the freedom of election, is consequently High Treason; and ought, as such, to be guarded against by express law.

14. Such treasons are far more deadly than that which even strikes at the life of the Executive Sovereign; as in law the King cannot die, so, were one King to be slain, another must instantly succeed: nor would the throne be for a moment vacant. But a murdered Constitution has no successor; when that perishes, there is national ruin; and the betrayed people drag on in chains, in misery, in vice and slavery, degraded existence!

15. Having, then, lived to see a distinct charge of selling a seat in your Honourable House met by a vote, and inquiry into that treason borne down by a majority, we have seen enough, had we seen nought else, to prove that the sole alternative left our injured and not respected country, is, a radical Reform in our Representation, or a final extinction of our Liberties.

16. Between Taxation and Representation there is in the English Constitution, and in the English mind, an inseparable union; and Parliament, as it is easy to demonstrate, cannot constitutionally have duration beyond one year.

17. Wherefore, your Petitioner solemnly protests, and appeals against all treasons in the sale, or barter, or disposal of, parliamentary seats, and against violating in any way the freedom of election: as well as against the present unconstitutional inequality of representation, and long parliaments, as the chief causes of all the calamities our country has at any time experienced, since the incomplete reformation of our government, effected by the Revolution, in the year 1688; and the causes, more especially, of unnecessary war—a state of things most prolific of patronage, abuse, and taxation—to which such a derangement of our system holds out to corrupt ministers a perpetual, and, as it should seem, a resistless, temptation.

18. When it is said by any Member of your Honourable House that a Reform in Parliamentary Representation cannot lighten the burthens of the Nation, the People must have indeed a new feeling—they must feel their understandings insulted. They know that their burthens may be lightened: they know that the increase of them may be prevented: they know that such a Reform only twenty years ago might, and probably would, have averted a war, that has burthened the Nation with an additional debt of nearly 600 millions, and added 40 millions a year to its taxes.

(To be continued.)

Published by R. BAGSHAW, Brydges-Street, Covent-Garden:—Sold also by J. BUDD, Pall-Mall, LONDON:—Printed by T. C. Hansard, Peterborough-Court, Fleet-Street.

COBBETT'S WEEKLY POLITICAL REGISTER.

VOL. XVII. No. 21.] LONDON, SATURDAY, MAY 26, 1810. [Price 1s.

"The defect of Representation is the national Disease; and, unless you apply a remedy directly to "that Disease, you must inevitably take the Consequences with which it is pregnant. Without a "PARLIAMENTARY REFORM the nation will be *plunged into new wars*; without a Parliamentary "Reform you *cannot be safe from bad ministers*, nor can good ministers be of *any use to you*. No *honest* "man can, according to the present system, *continue* minister."——MR. PITT's *Speech in the House of Commons*, 1782.

PARLIAMENTARY REFORM.

On Monday, the 21st instant, MR. BRAND made his motion, in the Honourable House, for a Committee to consider of measures proper to be adopted, relative to *a Reform in the Representation of the People in Parliament*.——I will not attempt *here* to give any account of the particular measures recommended by Mr. Brand; because the speech will, hereafter, be given more fully than it can now have been given, and because I wish, of all things, to avoid any misstatement upon the subject. ——It may, however, be useful just to state, that he recommended a great extension of the right of voting; that he also recommended the purchasing of the boroughs; and the mode of voting in districts.——It appears, that there were 349 members present at the discussion, and 234 of them voted against the motion and 115 for it; so that, there was a majority of more than half; there were more than two to one, *against even going into a committee upon the subject*.——It would be useless to make any remarks on the measures proposed by Mr. Brand, the Honourable House having rejected his proposition for going into a committee, not because his particular measures are not to their liking, but because *they object to any and to all measures whatever* for altering the state of the representation.——What we have to do, therefore, is to examine what was said, in this debate, in support of this objection.

FIRST, it was alledged, that *the people do not wish for a reform*.——Before we inquire into the *fact* here, let us see a little how this sort of objection would be relished, if urged in other cases. I do not suppose, that any one will be so shameless as to say, that the people wished for the *Walcheren Expedition*; that they wished for the *Income-tax*; that they wished for the pension, for three generations, *to Baron Douro and Viscount Talavera*. I do not say, that no one will be found impudent enough to assert, that the people wished for all these; but, I believe, that it would be difficult to find such a person. Nevertheless, these measures were adopted; and not a word did any of those, who were for them, ever say about the *wishes of the people*. The minister, when he was about to impose upon us the almost intolerable burden of the Income-tax, did not think it necessary to wait till we expressed our wishes to have the said burden imposed upon us. Why, then, are we now to be told, that one objection to a reform is, that the people do not wish it? It is curious enough, that, in *this case only* the Honourable House is to wait for an expression of the people's wishes. It can pass laws for making bank-notes, in effect, a legal tender; it can pass laws for imposing such a tax which takes away about the tenth part of every legacy; it can pass laws for making every man yield up one tenth part of his income, whether proceeding from freehold estates or from the sweat of his brow; it can pass laws for a compulsory calling of the people out into military service, and subjecting them to military punishments. All this it can do without waiting for the people to ask them to do it, or any part of it; but, when *reform* is proposed, it is objected, that the people *do not wish for reform!*——But, the *fact* is notoriously otherwise. It is perfectly notorious, that the general, and almost universal, wish is for reform. Indeed, that every one, who does not thrive by the present system, anxiously wishes for reform.——MR. TIERNEY, in speaking to this point, said "it was his wish to give "satisfaction to the *sober, thinking* part "of the public, whose praise, although "not so noisy, he must be naturally am-"bitious to deserve. Among such peo-"ple he found *the call for Reform univer-"sal*. Indeed, it was impossible to mix "in any society without hearing that call "repeated; without hearing the evils "arising out of the system of our repre-

"sensation dilated upon; without, in fact, "hearing the House of Commons spoken "of with marked contempt. *(Some mur-* "*murs.)* Gentlemen might murmur; but "he stated his decided opinion of what "he knew. He would, indeed, call upon "any member of the House, whatever "walk of society he entered, to state "what he heard upon this subject. He "did not say that that House deserved "contempt, although many arguments "might be drawn from its conduct, parti-"cularly with regard to the Convention "of Cintra and the Walcheren Expedi-"tion, which appeared to account for the "sentiment of the public. *But the very* "*circumstance of the right honourable gentle-*"*man opposite being the minister of the coun-*"*try, and supported by that House, was* "*enough to deprive it of the public confidence.* "That support such a minister could not "have *if the House were properly constructed.* "In fact, if it were not for the Scotch "members, who *could not be called Repre-*"*sentatives of the people*, the right honour-"able gentleman must have fallen in "consequence of the Walcheren Expe-"dition."——This is an answer, as far as assertion can go, to what was said, by the opponents of the motion, respecting the *wishes* of the people.——But, then, say the other side, we have something like *proof* in the absence of petitions. There are no petitions upon the table praying for a reform. This reason, to be sure, does come a little awkwardly from those, who have just refused to suffer to lie upon the table the petitions of the County of Middlesex and the City of London, both praying for a reform. One very effectual way of being able to say, that there are no petitions upon the table, undoubtedly is, not to suffer any petitions to be put upon the table. When the petition of Middlesex, praying for a reform of parliament, was under discussion, it was urged by those who have now opposed Mr. Brand's motion, that, *if that petition was received, the table would soon be covered with such petitions.* This was one of the reasons openly avowed for the rejection of that petition; and, yet, do these same persons now urge the absence of petitions as a reason for concluding that the people do not wish for reform.——But, this argument drawn from the absence of petitions is altogether fallacious. Mr. Whitbread said, in answer to it: "The "opposers of Reform endeavour to deny "that it is the wish of the country. They "ground the assertion on this, that *the peo-*"*ple have not petitioned for it.* But they, "have *years ago petitioned*, and the reason "they did not repeat them was, that they "*feel disappointed and disgusted with the* "*apostacy of those who once were firm sup-*"*porters of it.* They have found *all their* "*petitions for the redress of grievances disre-*"*garded;* and in this very sessions they "have seen the House of Commons *refuse* "*to receive the prayers of the people.* But it "was most idle to believe that they did "*not wish* for Reform in their hearts. Its "necessity became every day more abso-"lute." Besides this, where is the reason to suppose, that the people, in the *country*, scattered widely as they are, and having such difficulties to contend with, will ever meet *generally* to petition for a reform of that House, in the returning of the members to which so many of the powerful men, in the several counties, have so much to do? Look at one of our counties. You see the *Lord Lieutenant*, the *Sheriff*, the *Justices of the Peace*, the *Clergy*, the *Militia-Officers*, the *Military Commanders and Staff Officers of Districts*, the *Barrack-People*, the *Custom-House* and *Excise* people, all the *Commissioners and others possessing powers of taxing;* in short, every creature in authority; every creature possessing the means of annoying and tormenting on the one hand, and of favouring and fostering on the other hand, is appointed and kept in power by the ministry, or by those amongst the rich, who have the greatest interest in supporting the present way of composing the parliament. This being the case, how are the people to meet for the purpose of petitioning? In a few of the counties the thing may be done; but, in others, it is not to be expected. The people, those who really pay the taxes and receive none of them back again, have no means of getting together. They are kept asunder by the thousands of obstacles, some few of which I have mentioned above; and it is only in and about the Metropolis and very large towns, where men are too thick to be kept asunder, and where the communication of opinion and feeling is so rapid, that a spirit adequate to the producing of petitions is to be expected.——To make the argument of the absence of petitions worth any thing, the Sheriff of each county should at once, *call a meeting*, and there put the question. If at such meetings, the question was decided against reform, then, indeed, the fact might be fairly put for-

ground in support of the assertion, that the people do not wish for reform; but to ground such an assertion upon the mere absence of petitions, under the present circumstances of the country, is almost as modest as it would be to assert, that there ought to be no reform because the patrons of boroughs do not petition for such reform. As Mr. Whitbread said, the people must necessarily wish for a reform; because they see such an endless train of evils proceeding out of the want of it. Mr. Ponsonby has called the present ministers the "*Demon of England*;" he has said, that "*if* the House support "such a ministry, *the House may be regarded* "*as one of the greatest calamities that can be-*"*fall a nation.*" Well, the House has supported this ministry, and still does support it. Mr. Tierney now says, that "the "bare circumstance of Mr. Perceval "being minister of the country, and sup-"ported by the House, is *enough to deprive* "*the House of the public confidence.*" Well, Mr. Perceval *is* supported by the House. Under such circumstances the people *must* wish for a reform as naturally as they must wish for happiness and health; and, to conclude that they do not wish for reform, because they do not petition for it, is not much less absurd than it would be to conclude, upon a similar ground, that they do not wish that there may be no more such *loyal* men as Messrs. Hunt and Villiers entrusted with their money. The people have presented no petitions against Messrs. Hunt and Villiers, and *therefore*, we are to conclude, that the people have no dislike to see such men, or the same, entrusted with the public money in future!——Part of the people, and, indeed, the most *important part*, in every point of view, *have* petitioned for a reform; and, which is well worthy of remark, even the wretched instruments, who have been set to work to draw up and sign *protests* against these petitions, have not had the hardihood to deny, that *some sort of reform is necessary*. They talk of the *imperfections*, which *time* has introduced into the representation. They call them *slight*, indeed, and aver that it is much better to endure the evils arising from them, than to run the risks of a change, such, *as they assert*, the petitioners have in view; but, still they allow that there are things, which it would be desirable to reform. Even these wretched souls have not the impudence to pretend, *that the state of the representation is what it ought to be*. To assert, therefore, that reform is *not the wish of the nation*, is to make assertion in the teeth of notorious fact.——Mr. Canning is reported to have said, that "no doubt "there was *a party* in the country who "pretended Reform, and seeking anarchy, "reviled and distrusted that House; but "the object of whose views was not its "improvement, but its destruction: a "*vain, contemptible, degraded crew*, who "magnified themselves into the nation, "and diminished the nation into a faction "—who declared their own infallibility, "and depreciated the judgment of all "others; a body who were *too weak* "*to be respected—too despicable to be* "*feared.*"——This is very good, but it will not answer the purpose intended. It will not make the Reformers believe that their opponents are *full of confidence in their power*; and, if they should believe that such *confidence* does exist, they will still believe, that those who entertain it most grossly deceive themselves. No; they are not to be shaken in their opinions and expectations by any thing of this sort. They will, doubtless, think of this language, applied to those who have called for reform, and, of course, to those who attended the meetings in Westminster, Middlesex, and the City of London; but, it will not answer any of the purposes, which the speaker manifestly intended it should. "*A vain, contemptible, degraded crew, too* "*weak to be respected, too despicable to be* "*feared.*" These are words to be remembered; but, they do not prove that the nation's wish is not for reform; nor are they any answer to the complaints of the petitioners about the decision of the Honourable House in the case of Mr. Madocks's charge against Mr. Perceval and Lord Castlereagh and Henry Wellesley *relative to the seat and vote of Mr. Duttin Dick*. They are hard words; hard names; but, the tendency of them is neither to appal the heart nor to convince the mind.

Another expedient of the opponents of Mr. Brand was to quote *authorities* against *reforming*, and the public will *not* have been a little amused to see Messrs. Sturges and Canning appealing, upon this occasion, *to my* writings, *in support* of their assertions respecting the practical evil effects of reform.——They read a passage, (not particularized in the report of the debate) wherein, it appears, I gave a *disadvantageous* description of *the American Legislative Bodies*; and, as I never belied

them. I am sure I never did, when at liberty to speak my mind, say *any thing good of them*, generally, though it would be hard indeed had they contained *no good men at all*.——Well; but what has this to do with *our* question of reform? As Mr. Whitbread observed, there was no *reform* in America. It was the creation of a *new government*. It was of this species of government, where the *Chief Magistrate* is elected, and where there are, in fact, *sixteen* little elective kings; where the *Judges*, from having it in their power to become candidates for *Presidentships* and *Governorships*, make justice give way to their political views, and are really guilty of canvassing from the bench. Then again the suffrage is *universal*. The voters, are, in many cases, as complete vagabonds as the pot-walloping fellows in England; and, indeed, there is, at bottom, a much closer resemblance between the American suffrage and the English suffrage, as at present existing, than Mr. Canning appears to imagine.——This *authority*, then, will stand our opponents in but little stead, since we propose to make no one change that shall have a tendency to cause the English government to resemble that of America. Indeed, we propose to make no change at all in the Constitution of England. We want it to be what it *was* formerly, and what it is now said to be. We want the Commons to be *represented in one of the Houses of Parliament*; we want men to be *taxed by their own consent* and *not without their consent*; and this the law says shall be the case. ——I disliked, and I still dislike, the governments (for, like legion, they are *many*) of the American States. But, because I dislike a government, where there are sixteen elected kings, where there are two and thirty elected legislative assemblies, where the Judges may become kings, where the suffrage is vested in persons who have no property as well as in persons who have property; because I *dislike* all this, does it follow, that I must *like* pot-wallopping and seat-selling! Because I dislike *universal suffrage* in America, does it follow that I must also dislike a *representation of property* in England! As well might it be contended, that, because, ten years ago, being at the distance of a thousand leagues, I thought the authors of the *Anti-Jacobin* to be gentlemen of independent fortune, animated by a love for their country, having no selfish, dirty views, being no toad-eaters of any minister, scorning to pocket the public money, scorning to carry on a traffick in loyalty, I am still to think the same, though I have now had an opportunity of seeing and of knowing those authors. The whole of the passage, in my writings, referred to by Messrs. Sturges and Canning, says this: "avoid every thing that shall "tend to make *the English government re-* "*semble that of America.*" Now, to reform the Parliament would have the effect of making our government resemble that of America *less* than it now does. Where, then, was the force of this reference to *my opinions* about the American government? And, how desperate must be the case of those, who, under such circumstances, could make such a reference? How bad, how very bad, must they (who love me as the Devil loves holy-water) have found the merits of their case, when, with the hope of propping it up even for a little, they resort to the authority of *my opinion*? My opinion, formerly given, will, upon fair examination, be found not to favour them at all; but, what must they have felt their case to be, when they resorted to that opinion?

The old hacknied topic of the *French Revolution*, and the fate of the unfortunate king of France, have been resorted to upon this occasion. "Aye," say our opponents, "if you would know what these "*innovating schemes* lead to, look at the "Revolution in France." But, may not we, with much more reason, say: "if "you would know what this *refusal of re-* "*form*, this *contempt of the people*, leads to, "look at the Revolution of France?" It was the obstinate refusal to reform *in time*, and the subsequent employment of an army, partly composed of foreigners, that produced the bloody revolution in France. In answer to Mr. Canning's admonition, grounded on the fate of the nations of Europe, Mr. Whitbread said: "Aye, "what, indeed, has been the fate of other "nations who neglected the means of na- "tional safety? Did Prussia *reform*?— "Did Austria *redress the people's griev-* "*ances*? Why has Spain been the theatre "of havoc and desolation? Were their "miseries to be traced to the *experiment of* "*Reform*? Or rather, was it not the ef- "fect of the *resistance* with which their "respective Governments treated every "proposition of redress and amelioration? "Had Sicily *reformed*? And what, not- "withstanding the liberal assistance of "Great Britain, will be its fate, unless

"that Government shall be wise enough "to accede to the reasonable wishes of "the people? Subjugated Europe has "fallen, not because she made *rash expe-* "*riments* on her systems of Government, "but *by sanctifying every abuse, and perti-* "*naciously refusing to accede to the just de-* "*sires of the people;* she destroyed the "moral energies, and though she placed "arms in the hands of those who ought to "be her defenders, there remained no- "thing of influence over their hearts "when brought in contact with the "enemy."——That is the answer to the French-revolution story. There is no getting out of the difficulty, in which the opponents of reform are placed by this answer. There is Europe before us. Reform has been demanded by the people in all her old governments. They all *refused to reform.* They have all been overturned, and France, against whom they all combined because she had destroyed her old government, is now the absolute mistress of them all.——Nothing, therefore, can be more unfortunate than an appeal to the example and the fate of the nations of Europe, that fate calling out to us, in the voice of woe, to shun that example, and to *reform in time.*——The example of all these nations have proved, that it is impossible to defend a country against a foreign enemy, unless the *hearts of the people* are with the government. It has proved, that, to keep a people in awe, and to defend the country, at the same time, against an invader, is a task too arduous for *any* government; and of the use of this important truth, let us hope, that our government will, in time, avail itself.

The Reformers are charged, in this debate, with *designs,* which they do not *profess* to have in view. Mr. Tierney says, that, give them the right of voting for the male taxed house-holders, they will ask it for the *women* and *children.* Where did *he* learn that? And, Mr. Canning says, that all our professions about attachment to *the king* are made with a view to his destruction and that of the kingly government! ——This is pretty round work; but no proof; not a *shadow of proof,* is attempted to be produced, in support of these assertions. Nor will the assertions produce any effect upon the public. Those who can be *alarmed* now are too contemptible in point of intellect to merit attention. In the years from 1793 to 1803, there were good means of working up alarm. But, who does not now see the wide difference? There is no democracy existing in France. King-killing is quite out of fashion. "French principles! Defend us from "French principles!" was the cry formerly, and a most profitable cry it was to those who followed it as a trade. But what now? The principles of France now are *totally changed.* The example now set by the ruler of France is *precisely the opposite* to the example set by his predecessors; and there are few amongst us brute beasts enough to imagine, that there is still the *same cause for alarm.* Buonaparté is a military despot, and, I think it would not be easy to find any two men in all England, out of a madhouse, capable of being persuaded, that the *reformers* wish to establish a military despotism. Of all the persons in the whole world, the Public Robbers not excepted, there is no one, perhaps, who would see a parliamentary reform in England with so much regret as Buonaparté would. To excite alarm, therefore, is quite impossible; and I think, that the TIMES news-paper is very much deceived in supposing, that the vote of Monday was at all influenced by any alarm, excited by the recent disturbances in the Metropolis. The decision was grounded upon the principles openly avowed by Mr. Windham, Mr. Giddy, and others; and, of course, it could not be affected by temporary circumstances.

It would be useless to extend these remarks, though there are several points upon which I should like to touch.—The subject is now so well understood, that no *new* light can be thrown upon it. We clearly understand one another now, and all the people understand the matter full as well as those, who take an active part in the controversy.——I am, as I always have been, for leaving the work of reform to *time.* My opinion is, that the Reformists have now nothing to do but to keep the subject fresh in the public mind by frequent exposures of the *effects* of the borough system, leaving the rest to the force of events, which will not, I am convinced, be long in bringing about that change of system, which is so necessary to the salvation of the country. But, it is of great importance, that when the hour does arrive, it should not find us *unprepared*; and, therefore, it is very desirable, that a *detailed* plan of reform should be submitted to the public. I should like to have *filled up* the skeleton of Mr. Brand's plan, for instance; for though there are some parts in it, which I disapprove of, I should like

to see how it would be *put in motion*. This would be rendering a very great service to the public. Men's minds would grow into familiarity with the thing: and thus would the difficulty be half got over. I should like to see it *clearly shewn*, too, what effect such a change would have upon the *Crown*; for, I am the most deceived of men, if the reform proposed by Sir Francis Burdett would not be immediately felt to have a most powerful influence in adding to the dignity of the throne and in giving efficiency to the ministers of the king, who, when released from the trammels, in which they are now held, would be able to devote all their time and talents to the real service of the state. ——Mr. WHITBREAD put a case: "He "commented upon the mischiefs which "must follow from *collusions* between the "*patrons of boroughs, and the Minister*—the "one *bartering* his patronage either to gra- "tify his ambition or his avarice; the "other the honours of the Crown or the "money of the people, to acquire Parlia- "mentary support. Suppose some great "Lord with his *six or seven nominees in that* "*House, should, in the longing of his empty* "*vanity, grasp for those distinctions which* "*were ordained to reward heroic achievements* "*—that he should threaten the Minister of the* "*day with the defection of his nominees in* "*that House, unless he obtained that rib-* "*band*, which, though an ornament to "merit, must, when otherwise confer- "red, be considered a badge of disgrace to "the wearer. *Has such a case never hap-* "*pened*, or was it impossible that it should "ever happen again? Had it never oc- "curred that *menaces of a similar nature* "*were made to a Minister, unless his counte-* "*nance was given to some proposed public* "*work*, in which was, however, blended "some little of *private interest*, but for the "accomplishment of which the *public mo-* "*ney* was to be *entirely applied?* If, then, "such things *have happened*—if they can "happen again—who was it that could "deny it to be a most profligate exercise "of those powers which were entrusted "for far different purposes?"——What a life must be that of a minister, exposed to such *threats!* And, how is it possible, that, while such things take place, the affairs of a nation can be well-conducted!——Is it possible to believe, that, at this day, the people of England will ever be contented to see such things going on?——Mr. BRAND, in the conclusion of his speech, said: "Whether this was the fittest mode "of reform or not, he felt convinced that "they must have moderate reform or "military government *(hear, hear!)* He "said not this from any sentiment of in- "vidious animosity to the Gentlemen op- "posite, or from any feeling of attach- "ment to those Gentlemen on the benches "below him—he spoke it from a deep "conviction of its truth. *They must have* "*moderate reform or military government.* "They would have no other alternative, "for if they persisted in refusing to the "people the object of their wishes, they "would, sooner or later, make an attempt "to obtain their right by force; and then "would the sun of this country's glory be "set for ever. But give to the people their "rights while they constitutionally de- "mand them, and soon will it rise, and "dispelling the darkness of the political "horizon, shine out in all its ancient "strength and native grandeur."——I perfectly agree in these sentiments, which, indeed, I have before expressed; and, I firmly believe them to be the sentiments of ninety nine out of every hundred men in England.

WM. COBBETT.

Botley, 24th May, 1810.

COBBETT'S

Parliamentary Debates:

The Fifteenth Volume of the above Work is in the Press, and will be published with all proper dispatch. All Communications will be carefully attended to; but it is particularly requested that they may be forwarded as early as possible.

MAJOR CARTWRIGHT'S PETITION TO THE HOUSE OF COMMONS.

(Concluded from p. 800.)

19. The flagrant violation of the elective rights of the Nation, the shameful inequality of Representation, and the unconstitutional length of Parliaments, as well as the seducing of Members from their fidelity to the People, by places and pensions from the Crown, being obviously wrong, against the Constitution, against the principles of our law, against justice, against reason, against decency, and utterly subversive of public liberty; big with every species of ruin, whether pecuniary, political, or moral, and tending no less to the subjugation of these islands to a foreign Conqueror, than to a debasement and

misery of the People and their Posterity; constitute a grievance truly intolerable.

20. Wherefore your Petitioner, deprecating all that metaphorical and contemptible sophistry about the Constitution, by which wicked men endeavour to exhibit as a mystery, that which our brave unlettered ancestors framed as a plain, practical, and honest rule of government, trusts that your Honourable House, as early as may be, will originate a law for extending representation to the same limit as direct taxation in support of the Poor, the Church and the State; for distributing that representation with justice and impartiality; for bringing back Parliaments to a constitutional duration; for so ordering the elections as to prevent unnecessary trouble and expence, as well as tumult; and for preserving their freedom, and completing the polls in one day; and likewise for protecting from treasonable violation, by appropriate laws, the Majesty of the Nation, as it ought to be personified by your Honourable House.

21. Few and simple as are these propositions, they would, as your Petitioner is humbly of opinion, do more for our country, its liberties, its prosperity, and its glory, than were done for it by Magna Charta and the Bill of Rights.

22. Here, under a strong persuasion that the evils of destroyed Representation had arrived at their acmé, this appeal to the serious reflection of your hon. House had actually been closed; but that erroneous persuasion has been done away by recent events, which have placed before the nation's wondering eyes those evils, in still more terrific shapes, and leading to still more dreadful consequences.

23. On the question of undefined Privilege, so analogous to undefined Prerogative, may it not be respectfully asked, if there either be, or can be, a Prerogative or Privilege beyond this—"a power of acting for the public good, where the positive law is silent?"

And again—"Where the law can be made to speak, can it be either necessary, or expedient, or safe, that there should be any discretionary Prerogative, or discretionary Privilege?"

24. If the Law be capable of redressing a libelled Sovereign, and, for that cause, deny to the King a privilege of being at once accuser, jury, judge, and executioner in his own cause, how can such irreconcilable powers be justly claimed by either of the other two branches of the Legislature? And would not a union of such powers constitute a despotism unknown to the English Constitution, and revolting to reason?

25. But leaving to the serious meditation of your Honourable House these important questions, the legality, or illegality, of your Warrant against Sir Francis Burdett, seems to be involved, allow your Petitioner to call your attention to the late military proceedings, rising out of orders issued by civil authorities; and more especially to the act of breaking open, with military force and by violence, the house of the said Sir Francis Burdett, not charged with either treason, felony, or a breach of the peace, and conducting him through a body of armed soldiers, drawn up in his own hall, to a carriage surrounded by an army, and so to a prison.

26. On the flagrant illegality of such an outrage on an Englishman, your Petitioner presumes there is but one opinion. —It is personally known to your Petitioner, that two days prior to the seizure of Sir F. Burdett, as aforesaid, when a number of persons, assembled before his door, were charged with being rioters, a body of soldiers belonging to the standing army, in military array, and under the orders of a General Officer then present, were employed; and, as your Petitioner humbly conceives, illegally employed, to keep the peace; and he believes the same illegal mode of keeping the peace was persevered in, until the imprisonment of the said Sir Francis Burdett was accomplished.

27. A Standing Army, although necessary for offensive war, and the protection of external possessions, being yet altogether unknown to the Law and Constitution of this kingdom—such army not constituting part of the civil state, but being under a different command, and "subject to a different Law,"—cannot, of course, be a legal instrument for governing the Nation, that is, for executing any process of the Law, or for ministerially performing any act of a civil authority for giving effect to the Law; even although such act were in itself lawful to Peace Officers.

28. When an indiscreet populace, angered by violations of public liberty or other cause, assemble together, annoy by any species of assault, those whom they consider as their oppressors, none can deny that the law is violated and the peace

broken; but those who lead out a Standing Army in full military array and equipment to restore order, commit a violation of law a thousand times more criminal, and a breach of the peace ten thousand times more violent and alarming.

29. A rabble of idle men or unruly boys might on a sudden daub our clothes, demolish our window glass, and assume a momentary authority, but an organized *Posse Comitatus* would instantly restore peace and the dominion of the law. Whereas when a standing army, assuming the office of our protector, subjects us to a government of ball and bayonet—then, indeed, our Constitution is foully stained, Liberty is stabbed, and the Law itself "demolished." The sword may, indeed, be again returned to its scabbard, and the soldiery retire to their barrack fortresses. But if their reappearance be to depend on any, from a Police-Magistrate up to the King, is not this Military Government? It is not surely with discretionary power thus despotic that Parliamentary Privilege, forgetting its own defensive nature, will claim to have kindred, or seek to hold fellowship!

30. The English Government is itself only to blame, if its legal means of suppressing riots, by a resistless County Power, be not at all times, and in all places, in perfect readiness at a call, for preserving the public tranquillity.

31. If then our Rulers have, and particularly for the last thirty years, against law, against remonstrance, against exhortation, intentionally left the County Power, which is vital to the Constitution, in its "shamefully neglected state," and have, on all occasions of trifling disorders in our streets—disorders to which their own neglect of duty gave birth—got into a constant habit of illegally introducing the standing army for restoring quiet, what is the obvious inference to be drawn from this constant practice?

32. Here your Hon. House is implored to reflect, whether without being misled by names or appearance of any kind, it must not be acknowledged, that a state is in reality under a civil, or under a military government, as for the ultimate enforcement of its laws, resort be had to a civil power, or to a military force: and your Honourable House knows that civil government alone is free government; military government rank despotism.

33. Having thus established the principles whereby to judge, the character of the proceedings for executing the late orders of your Honourable House will now be easily determined.

Your Serjeant at Arms solicited, and obtained, for this service, an army. Including all the troops on their march from country quarters, for supporting those within the metropolis, the whole is generally believed to have exceeded 34,000 men, beside an ample train of artillery;—a greater force than that with which an English King defeated 100,000 French at Cressy; and an army which, in this instance, could have no other object than to overpower, or to kill, all such as might have attempted to resist by force the execution of your order.

34. Your Honourable House is therefore intreated to give mature consideration to the following Queries.

1. If a standing army be "unknown to the Law and Constitution of this Kingdom," must not its employment, under pretence of enforcing Law, be, in fact, the greatest of all violations of Law, and subversion of the Constitution?

2. Is it not the duty of every man, within the ages of 15 and 60, as a Member of the County Power, to resist a Breach of the Peace, the breaking into a House, or any act of illegal violence against a Fellow Subject, whether the Peace-breakers, or violators of the Law, be, or be not Soldiers?

3. If any Person or Persons, perpetrate acts of illegal violence, in open Rebellion against Law, and should, with intent to overpower, or kill all persons who should attempt to resist them, put themselves at the head of an army of mercenary Soldiers, and by means of such Army, should actually carry their illegal and violent designs into execution, would not this be an Act of "Open Deed, levying War against our Lord the King in "his Realm?"

4. Is not such levying of War "of open deed," among the Treasons enumerated in the Statute, 25 Ed. 3d?

5. Must not the killing of any of the People, by an Army, while so acting, be Murder?

6. Must not all the Soldiery of such Army, present at any such Murders, be in law principals, as well as those under whose orders they should act?

7. Considering how much the Soldiers of a Standing Army are machines and instruments, in the hands of them who command, must not those who give them or-

ders, be the most criminal parties in any such Murders?

8. Whether in the present circumstances of this Kingdom, considering the immense number of native Soldiers, "under a different command from that of the Civil Magistrates, and subject to a different Law" from that of the Civil Courts, and the vast addition of Foreign mercenaries, born under arbitrary power, and as Soldiers doubly enslaved—a military despotism, as rigorous as that of France, can possibly be averted, but by restoring, to full vigour and energy, the County Power, as 30 years ago was earnestly recommended and urged by Sir William Jones?

Wherefore your Petitioner trusts, that in the present awful crisis of our Country, your Honourable House will take, in good part, his dutiful expostulation—chearfully relinquish every unconstitutional claim of Power, heal our distractions, and preserve our Liberties, by exerting all its energies for restoring of our two-fold Constitution in its vital organs, its Commons House, and its County Power.

And your Petitioner will ever pray, &c.

JOHN CARTWRIGHT.

Enfield, 10th May, 1810.

POWER OF PARLIAMENT.

SIR;—As the pending trial between Sir F. Burdett and the Speaker of the House of Commons involves a more than ordinary portion of public interest, I shall make no apology for submitting the following Resolution of the Commons, relative to their own privileges, passed in the year 1763:—

"Resolved by the Commons in Parliament, that privilege in Parliament "does not extend to the case of writing "and publishing seditious libels, nor ought "to be allowed to obstruct the ordinary "course of the laws," &c.—It will be seen by the above Resolution how far the House of Commons have violated their own law in the persons of Sir F. Burdett and Mr. Jones. Let us revert to the opinion of Lord Littleton upon this subject, when it came to be discussed in the House of Lords. I shall not transcribe the whole of his speech on the occasion; but as both the resolution and speech bear so immediately upon the point at issue, and neither of them have been hitherto noticed, I trust the following extracts will not prove unacceptable to your readers:—"My Lords,—All privileges are subordinate to the great laws of society; to the good order, the peace, and the safety of the State.—Privilege must not be exercised to the grievous inconvenience and detriment of the public; it must not obstruct the public justice; it must not endanger the public safety.—The administration of justice and the execution of laws, are, by the Constitution of our Government, entrusted to the Crown and its Officers; but entrusted under checks beneficial to liberty, beneficial to justice. But if you change this system; if you take the executive power from the Crown, and place it in either House of Parliament, what check, what controul, will then remain? An arbitrary power will be there, which is no where else in our Government—an arbitrary power without appeal!—I therefore hope your Lordships will not differ from the Commons in this resolution. In order to preserve the independence of Parliaments, it will be necessary to preserve the reputation of Parliament in the minds of the people, and the love of it in their hearts. How, my Lords, can this be done, if they find it an obstacle to that equal justice which is their birthright and their safety? Upon the whole I am confident your Lordships will on no account depart from that maxim which is the corner-stone of all government; that justice should have its course without stop or impediment. *Jus, fas, lex, potentissima sint.* This, my Lords, is the very soul and essence of freedom. Obstruct this, and you immediately open a door to all violence and confusion; to all the iniquity and all the cruelties of private revenge; to the destruction of private peace, the dissolution of public order; and, in the end, to an unlimited and despotic authority, which we must be forced to submit to, as a remedy against such intolerable evils. The dominion of law is the dominion of liberty. Privilege against law, in matters of high concernment to the public, is oppression, is tyranny, wheresoever it exists."—Such was the language of a scholar, a man of genius, and a patriot; a man who was an ornament to his country in public and in private life. The authority of such men will always have its weight in all ages; men of whom it may be truly said, that they but begin to live when they are dead.

PHILO-JUSTITIA.

SIR FRANCIS BURDETT'S LETTERS TO MR. SHERIFF WOOD, AND THE FREEHOLDERS OF MIDDLESEX.

"*Tower, May 5*, 1810.

"SIR; Through you I beg leave to transmit my acknowledgment to the Freeholders of Middlesex, for the honour conferred upon me by the Meeting at which you presided at Hackney, on the 26th of April.—I take this opportunity, Sir, of returning you my Thanks, for the very handsome manner in which you executed your commission; and remain, Sir, your most obedient humble servant,

FRANCIS BURDETT."

"*To Matthew Wood, Esq.*
High Sheriff for the
County of Middlesex."

"*Tower, May 5*, 1810.

"GENTLEMEN; The over-flattering Address and Resolutions I had the honour to receive from the High Sheriff of your County, attended by Mr. Byng, and as Mr. Sheriff Wood informed me, according to the order of a very numerous and respectable Meeting of Freeholders, in full County Court assembled, on April the 26th, would, did I need any, afford me great consolation, and does give me great satisfaction.—It is extremely gratifying to me, Gentlemen, under these circumstances, to renew my intercourse with a county, so renowned for its many noble, though ineffectual struggles; sometimes indeed successful, never, I trust, altogether unavailing in the same cause—resistance to arbitrary power; which, however it may be disguised, or from whatever quarter it may come, is equally to be feared, and to be guarded against.—Gentlemen, highly as I esteem the honour you have done me, I esteem still higher the service you have done the public. In following the conduct and example of the City of Westminster, the great Metropolitan County of Middlesex has pointed out to the Country at large, a safe and ready way of arriving, by a simple expression of its will, at that Reform good men have long sighed for, but which, perhaps, they never until now clearly discerned, a quiet, easy, and peaceable method of obtaining. I remain, Gentlemen, your most obedient humble servant, FRANCIS BURDETT."

"*To the Freeholders*
of Middlesex."

RESOLUTIONS, PETITIONS, REMONSTRANCES, &c. *on the* LIBERTY OF THE SUBJECT *and* PARLIAMENTARY REFORM, 1810.

LONDON COMMON HALL.

RESOLUTIONS of the COMMON HALL of LONDON, held on Monday, May 21st, 1810.

Resolved—1. That the rejection by the House of Commons of our late humble Address, Petition and Remonstrance, appears to us a violation of our constitutional and indisputable right to state our complaints and grievances, and to call for relief and redress.

2. That such rejection is an additional proof of the shameful inadequacy of the representation of the people in the Commons House of Parliament, and more forcibly demonstrates the necessity of a speedy and substantial reform in that Honourable House.

3. That we have viewed with mixed sentiments of indignation, concern, and pity, the Address of certain persons, styling themselves, "An adjourned Meeting of Liverymen, held at the London Tavern, the 4th of May," inasmuch as the statements contained in that Address, imputing to the great body of their fellow Citizens in Common Hall legally assembled, motives and designs "to vilify and degrade the Legislature," to alienate the affections of the people from the Government; to "produce contempt and distrust of the House of Commons;" to "introduce anarchy;" and to "subvert the Constitution," are false assertions, originating with individuals who derive influence and emolument from the heavy burdens of the people.

4. That amongst the names of those affixed to the Address appear the signatures of Contractors, of Commissioners and Collectors of Taxes, of Placemen and Place Hunters, with a long List of their Agents and Clerks, of their Dependents, Emissaries, and Minions.

5. That it is undeniable, that power, influence, threats, and delusions have been employed to prevail upon many to concur in the said Address.

6. That whilst we disclaim any imputation against the motives of several, who by gross misrepresentations, by arts of the basest kind, or by downright intimidation, have been induced, and compelled to lend their signatures to the said Address; it is to us a source

of high consolation, that the Address carries within it its own refutation, consisting only of allegations, unsubstantiated, and of calumnies which those who have propagated them, must know to be groundless.

7. That the said Address appears to have for its real object the excitement of civil dissention, the increase of public abuses, and the further and fuller participation in the wages of corruption by many of those who have signed it, and who, taking advantage of the present unhappy contest between arbitrary privilege and constitutional freedom, have endeavoured to confuse and corrupt the public mind for the support and continuance in place of a corrupt, weak, and wicked administration.

8. Resolved unanimously—That in the years 1679 and 1680, under the infamous Government of Charles II, the City of London and other parts of the Country petitioned the King for the redress of grievances and the sitting of Parliament. —That various Counter Petitions were presented to his Majesty, expressive of their abhorrence of the said petitioning as tumultuous and seditious, and encroaching on the royal prerogative.—That on the 21st of October, 1680, the Parliament met, and its first acts were to expel Abhorrers, and to pass a vote "that it is, and "ever hath been, the undoubted right of "the subject to petition the King for the "calling of Parliaments, and redressing "grievances; that to traduce such peti- "tioning as a violation of duty, and to re- "present it to his Majesty as tumultuous "and seditious, is to betray the liberty of "the subject, and contribute to the design "of subverting the ancient legal Constitu- "tion of the kingdom, and they appointed "a Committee to enquire after all those "who had offended against these rights, "and accordingly, expelled several of its "members, and petitioned his Majesty to "remove others from places of trust."— That on the 29th of October, 1680, the Commons voted—"That Sir F. Withins, "by promoting and presenting to his "Majesty an Address, expressing an ab- "horrence to petition his Majesty for the "calling and sitting of Parliament, hath "betrayed the undoubted rights of the "subjects of England, and that the said "Sir F. Withins be expelled the House "for this high crime."—That for the exercise of the undoubted right of petitioning, the City Charters were seized by a *Quo Warranto*, and it was argued for the City, by Sir George Treby, their Recorder —"That the Constitution and the Law of "the Land had given to the subject the "right of petitioning, and of access to the "supreme Governor, to represent to him "their grievances, and to pray a redress of "them, and that the same law gave them "also a right to state in their Petitions "those facts and reasons which caused "their grievances, provided those facts "were true; and further, that as there "was one part of the Constitution which "gave the King power to prorogue, so "there was another part of the Constitu- "tion that gave the subject an original "right to petition for redress of grievances, "and that, therefore, to punish a man for "shewing in his Petition, those grievances "which he desires to be redressed, and "the causes of them, was the same thing "as to deny him the right of petitioning, "and that such denial would inter op- "pression and the most abject slavery; "for when subjects are misused and "grieved, and are denied the liberty to "complain, and pray the King to redress "those grievances, or shall be punished "for petitioning against them, they "must necessarily be abject slaves."

9. That these arguments having been over-ruled by venal Judges—Judgment was obtained against the City,—the Abhorrers for a time triumphed; the liberties of the People, with the right of Petitioning, was subverted; and the succeeding Monarch, in consequence thereof, driven from his Throne and dominions.—At the Revolution of 1688, in the Bill of Rights, "the "undoubted right of the subject to petition, "was among other things claimed, de- "manded, and insisted upon."—This right has been of late again invaded; the people, oppressed with unprecedented grievances and calamities, have been denied access to the Sovereign—Their petitions have been rejected by the House of Commons, and their grievances remain unheard and unredressed—The exploded doctrine of passive obedience has been revived in all its extravagance, and a new race of Abhorrers have sprung up, who, like the Abhorrers in the days of Charles the 2d. by the foulest calumnies, by vilifying and traducing the petitions of the people, are (in the emphatic language of the then House of Commons) "betraying the "Liberties of the Subject, and contri- "buting to the design of subverting the "antient legal Constitution of the King-

"dom."—That as the corrupt participators in public abuse, under the mask of loyalty, subverted the liberties of the kingdom, and involved James II. in ruin, so the corrupt and unprincipled Ministers of the present day, under the same loyal pretence, would involve the Country and Sovereign in similar difficulties if suffered to persist—it therefore becomes the imperious duty of every real friend to the Country, to resist their mischievous designs, by recurring to the genuine principles of the Constitution, and by using every legal means for obtaining a full, fair, and free Representation of the People in Parliament.

10. That inseparably attached to our glorious Constitution, we admire, venerate, and will support and defend our King, our Lords, and our Commons, in their respective and collective capacities, with all their just prerogatives, rights, and privileges; but we can never consent to grant separately to King, Lords, or Commons, a power contrary to, and above, the laws of the land, which are and must continue to be the results of their collective wisdom and authority.

11. That notwithstanding the rejection of our late Petition, we still feel it our duty to give to the House of Commons every opportunity of hearing and redressing the grievances of the people, and that an humble Address, Petition, and Remonstrance, be presented to that Honourable House.

12. That the said Petition be fairly transcribed, and signed by the Lord Mayor, the Aldermen, and 10 Liverymen, and presented to the House of Commons by H. C. Combe, esq. one of their Representatives.

13. That the Thanks of this Common Hall be given to the Right Hon. Lord Erskine, Sir Samuel Romilly, knt. M. P. and Samuel Whitbread, Esq. M. P. for their able, constitutional, and independent conduct on all occasions, particularly for the stand they have lately made in favour of the dominion of the law against arbitrary discretion and undefined privilege.

14. That the Thanks of this Hall be given to Harvey Christian Combe, Esq. Alderman, and one of the Representatives of this City in Parliament, for his support in the House of Commons of the Right of the Livery to petition the House, and for his general conduct in the House.

15. That the Thanks of this Hall be given to the Right Honourable the Lord Mayor, for his readiness in calling this Hall, and for his independent and honourable conduct in discharging the duties of his office.

16. That the Thanks of this Hall be given to Matthew Wood, Esq. one of the Sheriffs of this City, for the independent manner in which he has always discharged the duties of his office.

WOODTHORPE.

FARRINGDON WITHOUT.

At a numerous MEETING of the FREEMEN HOUSEHOLDERS of the Ward of Farringdon Without, Mr. Deputy BREWER in the Chair, the following Resolutions were, with the exception of the 11th, against which one hand only was held up, unanimously agreed to.

Resolved 1st. That in the 29th Chapter of Magna Charta it is declared, "that no Freeman shall be taken or imprisoned, or be dissezed of his Frechold or Liberties, or Free Customs, or be outlawed or exiled, or any otherwise destroyed; nor will we not pass upon him nor condemn him, but by lawful Judgment of his Peers, or by the Law of the Land."

2. That the Committal of Mr. John Gale Jones and Sir Francis Burdett to Prison, during pleasure, by the Order of the Honourable the House of Commons, for supposed Libels, appears to this Ward Meeting an unreasonable and illegal assumption in their own cause, of the accumulated offices and power of Accuser, Juror, Judge and Executioner.

3. That the late assumption of undefined Privilege by the Honourable the House of Commons, will, in effect, abolish that Bulwark of our Liberties, Trial by Jury; will supersede the Habeas Corpus Act; will annul the Bill of Rights, and the wholesome Provisions of Magna Charta.

4. That the exercise of illegal Power naturally engenders Violence, Riot, Commotion, and ultimately Revolution; that the introduction of the Standing Army to enforce the arbitrary Warrant of the Speaker of the House of Commons, has already produced the most deplorable calamities: our sacred Charters have been violated; the blood of peaceable passengers has been spilled, and our fellow-citizens murdered in our streets; and this Ward Meeting entertain a fervent hope, that any future attempts to introduce arbi-

trary power, to excite violence and riot, and to goad the people into resistance and commotion, may, by the steady, firm, and wise conduct of our Countrymen, be foiled.

5. That this Ward Meeting trembles for the consequences probable upon this Conflict between the People and the Privileges of the House of Commons; and they aver it to be their opinion, that this unnatural struggle is a certain evidence of the little influence the People possess in that Honourable House. That they believe the Representation of the People in Parliament is unequal, deficient, and now manifestly inadequate to the security of the subject; that it appears uncontradicted upon their Journals, that seats in the Honourable the House of Commons are notoriously sold and bartered; that a Majority in that Honourable House may be at all times, with perfect facility, procured and purchased, by any set of Ministers; with the ready means of Places, Pensions, Sinecures, Patronage, and Jobs; as only 154 powerful individuals, Peers and others, return 307 Members, for England and Wales; and the Representation of Scotland and Ireland is equally corrupt: that by means of the Majorities thus obtained, Public Defaulters have not only been exculpated, but suffered to enjoy the fruits of their nefarious conduct, and retain their seats in that Honourable House.

6. That this Ward Meeting declares its entire approbation of the Conduct, Resolutions, and Petition of the Livery of London, in their last Common Hall; that this Meeting avails itself of this first opportunity, to express its abhorrence of the seditious attempts of a band of Contractors and venal Jobbers, to decry all Public Spirit; and to induce the timid and the weak to join in libellous Declarations against their Fellow-citizens, and the venerable Magistracy of our City.

7. That for these accumulated evils and calamities, one only remedy offers itself; namely, a full, fair, and free Representation of the People in Parliament.

8. That this Ward Meeting do hereby instruct their Representatives in Common Council to promote and support in that Court all legal measures whatever that may be proposed to procure the liberation of Sir Francis Burdett and John Gale Jones; and for that necessary and indispensible object, a Radical Reform in the Commons House of Parliament.

9. That the Thanks of this Meeting are due to Sir Francis Burdett, for his manly and constitutional resistance to Oppression, and for his learned and legal Argument in favour of the unalienable Rights of the People.

10. That the late conduct of Sir Charles Price has proved him unworthy of the confidence of the Inhabitants of this Ward; that it has stamped his character with meanness and duplicity, or with the grossest ignorance of his duty and of the laws and customs of this City; with meanness and duplicity for having attempted, by a frivolous and contemptible subterfuge, to shift from his own shoulders the disgrace and responsibility of refusing the Meeting, and attempting to attach the odium upon our worthy and much esteemed Chief Magistrate; or of the grossest ignorance in making application to the Lord Mayor for authority with which every Alderman is notoriously invested.

11. That the Thanks of this Ward Meeting are particularly due to the Churchwardens of this Parish, St. Bride's, for their kindness in acceding, at so short a notice, to the request of the Inhabitants to hold the Meeting in this Church, as well as to the Churchwardens of other Parishes, who have declared their readiness to comply with a similar requisition.

RICHARD BREWER.

12. That the Thanks of this Ward Meeting are also due to Richard Brewer, Esq. Deputy of this Ward, for his manly, candid, and polite conduct this day in the Chair, as well as for his uniform support of the Rights of the People during the long series of years he has represented this Ward in Common Council.

SAMUEL THOMPSON.

CASTLE BAYNARD WARD.

At an Adjourned MEETING of the ALDERMEN, DEPUTY COMMON COUNCILMEN, and FREEMEN HOUSEHOLDERS, of the above Ward, holden at the Church of the United Parishes of St. Mary Magdalen and St. Gregory, in Old Fish-street, on Tuesday, the 22d of May, 1810, pursuant to a requisition made for that purpose,

JOSHUA JONATHAN SMITH, Esq. Alderman, in the Chair;

The following Resolutions were separately moved, seconded, and carried, viz:

Resolved, That warmly attached to the genuine principles of our Constitution, as established at the glorious Revolution by King, Lords, and Commons, we have

seen with deep concern those corruptions, abuses, and peculations which have so long and so shamefully been suffered to exist, the want of due and efficient inquiry into the calamitous failures and misfortunes which have attended our various military expeditions; also the corrupt traffick for seats in the House of Commons, and the power lately assumed of imprisoning our fellow subjects without due process of law.

Resolved unanimously, That it is become the imperious duty of every true friend to the rights and genuine principles of the Constitution of the country, to use every constitutional means to obtain redress of those great national grievances, and a Reform in the Representation of the People in Parliament, by which means the House of Commons may be restored to its true dignity and independence.

Resolved, That this Meeting do hereby instruct their Representatives in Common Council, to promote and support all such motions or petitions in the Common Council, as may have for their object the redress of their public grievances and a Reform in the Commons House of Parliament.

Resolved unanimously, That the Thanks of this Meeting be given to Joshua Jonathan Smith, Esq. Alderman of this Ward, for his readiness in convening this Meeting, and for his upright conduct as a magistrate on all occasions.

Resolved, That the Thanks of this Meeting be given to Messrs. James Griffiths, Robert Slade, Richard Howell, Thomas Farrance, John Treacher, Joseph Hurcombe, Perrot Fenton, and James Edward Pownall, for their independent and able conduct as representatives of this Ward in Common Council, and the attention they have at all times shewn to the interest and the instructions of their Constituents.

Resolved unanimously, That the foregoing Resolutions be signed by the Ward Clerk, and inserted in three morning and three evening papers, namely, the Times, Morning Chronicle, Morning Advertiser, Courier, Alfred, and Statesman.

GEORGE ARROWSMITH, Ward Clerk.

PORTSOKEN WARD.

At a MEETING of the FREEMEN HOUSEHOLDERS of this Ward, held May 15, 1810, at the Crown and Magpye Tavern, Aldgate, to instruct their Common Councilmen to support a Petition from that Court to the Commons House of Parliament, for the release of Mr. Gale Jones, sir Francis Burdett, bart. and a Radical Reform in the House of Commons:—(sir James Shaw having refused to comply with a Requisition for the same),

THOMAS PARKER, Esq. in the Chair.

Resolved, That the Inhabitants of this Ward are firmly attached to the Constitution of this Realm as by law established, which Constitution provides, "That no man of what state or condition he be, shall be put out of land or tenement, nor taken, nor imprisoned, nor disinherited, nor put to death, without being brought to answer by due process of law."—That this Meeting are impressed with the deepest sense of alarm at the Proceedings of the House of Commons, in departing from the Great Charter of the land, by the assumed Privilege of their House, in committing to prison Mr. Gale Jones (untried by his Peers) for a supposed Libel. In breaking into and forcing from his house by the aid of a standing army, sir Francis Burdett, bart. M. P. and confining him in the Tower, for alledged libels on themselves, and thereby becoming at once Legislature, Jurors, Accuser, Judge, and Executioner in their own Cause, without any appeal to law, and thereby attempting to change the law of England, which cannot be changed.—That this Meeting are fully persuaded, that from the useless waste of blood, and expenditure of our treasure in a ruinous war, without any specific object; and the alarming height of corruption to which the House of Commons have arrived by the prostitution of our liberty, leaves us without hope that any good can be expected but by a full complete, and Radical Reform in Parliament. That the Common Council of this Ward are hereby instructed to support every motion brought forward in their Court, which has for its object the liberation of Mr. Gale Jones and sir Francis Burdett, bart. and that most necessary measure, a Reform in the Commons House of Parliament.—That the Thanks of this Meeting be given to sir Francis Burdett, bart. for his upright and constitutional conduct in Parliament on all occasions, but more especially for the manly struggle he is now maintaining against assumed and undefined Privileges.—That a Deputation of eight Gentlemen, with four of our Common Council, do wait upon

sir Francis Burdett, to present this Resolution.—That the Thanks of this Meeting be given to four of our Representatives in the Common Council, Deputy Atkinson, Edward Colebatch, John Hoppe, and Robert Carter, Esqrs. for their upright conduct in the Common Council, and for their polite attendance at this Meeting.—That these Resolutions be inserted in the Times, Morning Chronicle, and Morning Advertiser. THOMAS PARKER, Chairman.

That the Thanks of this Meeting be given to the Chairman, for his upright conduct in the Chair.

LIVERPOOL MEETING.

Liverpool, May 9, 1810.

Several Gentlemen having signed a Requisition to the Mayor of this Town, requesting him to call a Public Meeting on the present state of the Nation, and the liberty of the Subject, with which he has refused to comply; the Remonstrance subjoined has since been addressed to him, signed by the major part of the Gentlemen signing the Requisition.

To JOHN CLARK, Esq. MAYOR.

Sir;—On an emergency like the present, when the nation is suffering under the effects of ministerial misconduct, and when a very general apprehension is entertained, that attempts are making to stifle the voice of the people, by a direct attack upon the personal liberty of the subject, we had flattered ourselves, that however your predecessors in office might have opposed their authority to the earnest wishes of their townsmen, you, Sir, would have been earnest to have shewn how fully you participated with your countrymen in their sentiments, and would, in pursuance of our request, have convened a meeting of the inhabitants, for the purposes in our Requisition mentioned. We conceived that the examples which had been already given by the presiding Magistrates in the city of Westminster and the county of Middlesex, (which have since been followed by the City of London and other places,) would have been a sanction, if any had been wanting, to our request, and would have deterred you from attempting, by your single negative, to prevent the inhabitants of this great and populous town from publicly expressing their sentiments on this occasion; and we cannot omit to testify our most decided disapprobation of your refusal to comply with our just and reasonable wishes in this respect.—Notwithstanding the continued series of calamities and disgraces which have befallen this Country during the last three years, and particularly the fatal and destructive expedition to the Island of Walcheren, we had still from time to time consoled ourselves with the hope that, against the recurrence of such evils, there existed an adequate and constitutional remedy.—For this remedy, we, in common with our fellow-subjects, looked up to our Representatives in Parliament; but we are reluctantly compelled to add, that for this we have hitherto looked in vain. Although repeated instances of the profligacy and misconduct of Ministers, both at home and abroad, have been brought before the House of Commons in the most full and ample manner, no result, concordant to the wishes and expectations of the Country, has been produced; whilst the measures recently adopted by that House in restraint of the liberty of the subject, and the freedom of political opinion, are such as cannot fail to occasion the greatest anxiety and alarm in the public mind. When, however, we advert to the open and avowed corruption which exists in the appointment of Members of Parliament, and observe the great number of persons having seats in the House of Commons, who, at the same time, enjoy places and pensions under the Crown, we are no longer at a loss to account for the result that has taken place; and we conceive that the time is now arrived when it is incumbent on us openly to express our decided conviction, that it is only by a speedy and effectual Reform in the Representation of the People in Parliament, upon principles consistent with the spirit of the constitution, that we can hope to preserve the liberties and independence of our country from that destruction with which they are so imminently threatened.—To this great object it was our wish, under the sanction of our Chief Magistrate, to have called the attention of our townsmen, and although you, Sir, have deprived them of the opportunity of expressing their opinion, under such sanction, we doubt not that they will perceive in the motive which dictated such refusal, the grounds of their own triumph, and will still continue to cherish those sentiments of veneration for the Constitution of these Realms as by Law established, and that determination to maintain their rights and liberties unimpaired, which are the only effectual safeguard against their overthrow.—We are, Sir, &c.

THOMAS RAWSON, &c. &c.

At a Meeting of the BURGESSES *and* INHABITANTS *of the County Borough of* CARMARTHEN, *convened at the Guildhall, on Monday, the 23d of April,* 1810. *In conformity to a Requisition for that purpose.*—J. JONES, *Esq. Mayor, in the Chair.*

It was Unanimously Resolved,

That it is the opinion of this Meeting that Civil Liberty, the basis of our admirable Constitution, is the birth-right of every Englishman; and that no longer than the free enjoyment of personal security, personal liberty, and private property, remains inviolate, can we be free.

That every man owes obedience to the laws: laws definite and distinct, not left to the caprice of power, but governed by that sacred and solemn palladium of liberty—Magna Charta, which expressly and explicitly declares, "That no freeman shall be taken or imprisoned but by the lawful judgment of his equals, or by the law of the land."

That we have observed with alarm and sorrow the late acts of the House of Commons, which has assumed to itself undefined privileges, and constituted itself the accuser and judge of supposed breaches of the same, thereby claiming a power which cannot be legally assumed by the highest branch of our Constitution, and which violates the freedom of the subject, his right to a trial by his Peers and the liberty of the Press.

Whilst we fully acknowledge the competency and right of the House of Commons to remove all obstructions to its debates, to punish prevarication and contempts, and to adopt and exercise power which necessity may require in unusal and unforeseen cases; we nevertheless do declare, that it cannot legally constitute itself a judge of law or fact in any case wherein the ordinary tribunals of the kingdom are competent to decide.

That a Judge and Jury are the only competent and proper Tribunal to try and ascertain whether any publication be libellous or not, and to punish the convicted author of such libellous publication: and whilst we protest in the strongest terms against the functions of a Judge and Jury being exercised by the House of Commons on such an occasion, still more do we deprecate the measures adopted by that House of arresting and imprisoning one of its Members for such an alleged offence, and thereby depriving part of the community of its Representative in Parliament.

That the means resorted to by the servants of the said House, in order to carry into execution the resolutions entered into on these subjects, appear to us highly unconstitutional, insomuch as the dwelling-house of a fellow-subject has been violated under pretence of enforcing a warrant to which the King was not a party; a violation in direct opposition to the well-known maxim, "That an Englishman's house is his castle."

That every independent Member of Parliament, who in the honest and conscientious discharge of his duty delivers his sentiments openly and without dread to his Constituents, deserves the respect and approbation of every honourable man.

Resolved,

That convinced of Sir Francis Burdett's honourable motives and conduct, we cannot but join in the sympathy of every true-hearted Briton; and whilst we lament the loss which the country sustains by his detention at this momentous crisis from Parliament, earnestly hope that the House of Commons will, in conformity with the sense and wishes of the people, quickly restore to the Country a zealous and inflexible friend.

That we beg leave to return to Sir Francis Burdett our unqualified thanks for his manly and constitutional conduct on all occasions, and to express a strong hope, amounting even to confidence, that the integrity of a British Judge, and the impartiality of a British Jury, will secure to him his Rights, and with them the Rights of Britons. JOHN JONES, Chairman.

Resolved Unanimously,

That the Thanks of this Meeting be given to the Chairman for his impartial conduct in the Chair.

That the Chairman be requested to inform Sir Francis of the result of this Meeting.

That these Resolutions be printed in the Carmarthen Journal, the Cambrian, the Star, Courier, and Morning Chronicle, London Papers, and one of the Bristol Papers.

Published by R. BAGSHAW, Brydges-Street, Covent-Garden:—Sold also by J. BUDD, Pall-Mall,
LONDON:—Printed by T. C. Hansard, Peterborough-Court, Fleet-Street.

COBBETT'S WEEKLY POLITICAL REGISTER.

VOL. XVII. No. 22.] LONDON, SATURDAY, JUNE 2, 1810. [Price 1s.

"That there should be found gentlemen, who would annihilate the people, and acknowledge no other "voice than that of this House, is to me not at all surprising; because the conduct of the most violent "sticklers for this doctrine, has not deserved much applause or favour from them. But that they "should have renounced reason and common sense, so far as to maintain that the majority of this "assembly is the only organ by which their sentiments can be expressed, is to me truly surprising. "For where, in the name of wonder, should the House acquire the necessary knowledge or intelligence? "Is it by turning over these musty volumes or by rummaging these gaudy boxes which lie on your "table? No; they contain none of these mysteries. How then are they to be explored? Is there "any virtue or inspiration in these benches or cushions, by which they are communicated? or does the "echo of these walls whisper the secret in your ears? No; but the echo of every *other* wall, the "murmur of every stream, the shouts, aye, and the *hoots* and *hisses*, of every street in the nation, ring "it in your ears, and deafen you with their din. *Deafen you*, did I say? Alas! you were deaf before, "or rather dead; else you would have heard; for their voice is loud enough to waken almost the dead. "For shame, gentlemen, let us hear no more such weak reasonings and sophistical refinements. Far "from producing conviction, they cannot even extort a smile, except peradventure at the author, who "resembles a hunter, that would catch an elephant in toils made of cobweb. The people have a voice "of their own, and it must, nay it will be, sooner or later, heard; and I, as in duty bound, will always "exert every nerve, and every power, of which I am master, to hasten the completion of the desirable "event."——MR. BURKE. *Speech in the House of Commons, 6th Dec.* 1769.

SUMMARY OF POLITICS.

ABHORRERS OF WESTMINSTER.——There has been published in the newspapers, A DECLARATION on the part of persons calling themselves "*householders* "and *other inhabitants*," within the city and "liberties of Westminster;" and, though no signatures have, as yet, been put to this Declaration, its contents are of a nature to call for particular notice.——This set of Abhorrers begin by deploring "the late *alarming* riots," though not a hundredth part so much mischief was done in them as was done by the Church-and-King mob at Birmingham, or at Liverpool. Far, however, be it from me to palliate any mobbish violences; and, I think, that the worst enemies that the cause of Reform has, are those who, under pretence of avenging the injuries of the people, commit breaches of the peace. It is for *law*; for the *due exercise of law*; for a *government of law*; this is what we are contending for; and we detest unlawful violence, by whomsoever it may be committed.——The Abhorrers above-mentioned use a great deal of *cant*, mixed with no small share of invective; but the passage, which I am desirous to point out to the particular attention of the reader, relates to *the happiness*, which we enjoy in this country, *compared with the state of people in other countries*, and especially in *France*.——This is a mode of reasoning I never will approve of; because it is an answer to every thing; an answer to every charge, and may be urged by every Robber, private as well as public. We complain, for instance, that Mr. Hunt, one of the favourites of the "great Statesman now-no-more," has gone off *to Portugal*.—Stop here, a moment.—How came he to go to Portugal? To Portugal where our armies are? To Portugal, a country, in fact, in our possession? How came Mr. Hunt to go to Portugal? It was odd enough, that he, who fled from the consequences of his conduct towards the public in England, should *seek shelter amidst the camps and garrisons of the English army!* I beg my readers to ponder this well in their minds; and, odd as the thing may appear, at first sight, I am deceived if they will not soon discover a probable reason for Mr. Hunt's selection. This is a curious affair, and to be well noted by the people.——To return from this digression: we complain, for instance, that Mr. Hunt is gone off to Portugal so many thousands of pounds in our debt, and that those whom the law commanded to take sureties for Mr. Hunt, had neglected to take those sureties; so that there was no redress left us; and that, when a motion was made in the Honourable House to *censure* (not *punish*, but merely *censure*) this neglect, that motion was negatived by a large majority of the Honourable House. When we complain of this, or of any other thing of the same sort, we are told, that we are *much better off than the French*; that there is *a military despotism in France*; and the like. When we complain of Lord Castle-

reagh's offering to give a writership for the purpose of its being swapped against a seat in parliament, and that the House did not censure him for it; the answer is, that we *are not half so miserable as the people in France are.* When we complain of any thing, no matter what it be; no matter how oppressive the act, how wicked, how shameful, how revolting to all the principles of our constitution and all the feelings of nature; the answer to us is: "*You are not half so miserable as the people of France.*"——This, which is the strongest possible proof of our adversaries being destitute of all sound argument, is the mode of reasoning adopted by the Westminster Abhorrers. But, to what, as I said before, might not the like of this be an answer? Take away the trial by jury in all cases where the party is accused of seditious conduct: well, the *French* have *no trial at all* (or, so it is said, at least) in such cases. Hang men for offences against the government, without judge or jury: well, the *French* are hanged or shot (so some people assert) for such offences, not only without judge or jury, but without being informed of what they are hung or shot for.——Any thing, therefore, may, if we once admit of this mode of reasoning, receive answer quite conclusive. If we are never to complain, until we can prove, that we are treated as bad, or worse than the people of France are treated, the *liberties* of England will, I should hope, cease to be a subject of boasting.——But, now let us see the passage alluded to; and, as we proceed, take a little time to inquire into the facts.—— "Does history record a nation arrived at "so proud a height as Great Britain and "Ireland at this moment? These are facts "that cannot be contradicted, and the re- "sult *(so far)* of the *success of the present* "*contest* is a matter of astonishment and "wonder to the whole of the civilized "world.—It is true, and it is much to be "*deplored* that the public *burthens are* "*heavy;* but it is also true, and self evi- "dent, that the increased opulence of the "nation has been fully equal to the pres- "sure. The luxuries and the splendour "of the higher orders of society do not "appear to be diminished. The middling "classes appear also to enjoy even more "comforts than when taxes were not one- "fourth of what they are at present, while "the condition of the labouring people is "*equal, if not better* than at any former pe- "riod.—The wise measures adopted in "the course of the reign of our benign "sovereign, have provided a remedy for the "reduction of the National Debt, which is "*advancing with a degree of rapidity* towards "that great object which is *truly astonish-* "*ing,* and will *soon* operate powerfully in "diminishing the public burdens.—*Before* "*we complain,* therefore, let us look to the "state of the Continent of Europe com- "pared with the happy Country in which "Providence has been pleased to place us, "and judge of our true situation. In "France, and the Countries she has brought "under her yoke, *it is known, to a certainty,* "that the *taxes are higher than in Great* "*Britain,* and collected in the most arbi- "trary manner by the military power; "*the Agriculture is every where crippled;* "the manufactures are paralyzed; and the "commerce almost annihilated. The "*unhappy people* under the dominion of "France are actually compelled to *make* "*bricks without straw.* The means of sub- "sistence by the different sources of in- "dustry are *denied to them,* while they are "oppressed by exactions and *contributions* "*to support the military,* by which the lit- "tle capitals they possessed are nearly "exhausted, and their situation rendered "unbearable by a system of tyranny and "oppression which has scarcely any pa- "rallel in the history of the world.—But "this is not all. Their *sons are torn from* "*the bosom of their families by the conscrip-* "*tion laws,* as soon as they arrive at the "age of 18 years, and *sent to perish in the* "*armies of Spain and Germany,* where, "there is the strongest reason to believe "250,000 have been laid in their graves "by sickness and the sword during the "last two years.—*How very different* is the "situation of the people, in this happy "country! and how much reason they "have to be thankful to Divine Provi- "dence for the blessings they enjoy." ——To give any answer at all to, or comment upon, the Declaration of persons so very ignorant as those must have been, by whom this paper was penned, may seem to be a waste of time; but, when we consider, that we have here nothing more than what these people have been taught by their betters, and that, in fact, the last resource of our enemies is to propagate notions like these, we shall find, that it is our duty to expose the imposture, from whatever quarter it may proceed.——First we are told of the "*proud* "*height*" at which we have arrived as a nation, and of the "*astonishing successes* of

"the present contest."——Really this is too impudent. Just as if the history of the occurrences at the Helder, in South America, in Portugal and Spain, and at Walcheren, were already forgotten! We are, it seems, however, to think ourselves "*great*," and we are to be "*proud*," because we are not yet subdued, as the rest of the nations of Europe have been. To such a state have we come, that the not having been yet absolutely conquered is to be considered a matter fit to be boasted of. These Abhorrers, who bid us be happy because we are not yet conquered, might use the same argument in answer to every sort of complaint; but, they seem to forget, that the contest is *not yet over*. They seem to forget, that this contest is now going on; and, that, when we began it, we were promised *victory*, and not mere safety; not the mere absence of being conquered. But, at any rate, what has this to do with *Parliamentary Reform?* What has this to do with the selling and buying of seats in the Honourable House? Suppose we have triumphed in the contest; suppose we have beat the French, and are now in no danger from them, is that a reason why we should not complain of the decision of the House upon the motion of Mr. Madocks?—— SECONDLY, the Abhorrers tell us, that they *deplore* the weight of the taxes, but that the luxuries of the rich have *not diminished*, the comforts of the middling classes have *increased*, and that the condition of the labouring people *is better* than ever.—Why, then, do they *deplore* the weight of the taxes?—What hardy fronts or what empty heads must these men have! To make such assertions as these in the present well-known situation of the country is impudent beyond example. It is notorious; it is in proof before the House, that the number of the paupers has been doubled since the year that Pitt became minister, and that, at this time, about *one person out of every seven*, in this kingdom, is a pauper. And, as to the middle class, there is scarcely any remains of that class; but all are *rich* or *poor;* all independence is swallowed up in the gulph of taxation. These truths are notorious, and yet, there are persons, who have the impudence to make assertions like these above-quoted.——But, if it was true, as it is false, that the people were as well off as formerly, would that be a reason why Englishmen should not complain of the Expedition to Walcheren? Would that be any reason why Englishmen should not complain of the vote upon Mr. Madocks's motion? Would that be any reason why they should not complain of acts of bribery and corruption; of frauds, peculations, and acts of robbery committed upon them? Would that be any reason why they should not ask for a Reform of parliament?——THIRDLY, the Abhorrers assert, that the measures adopted for "providing *a remedy* for the *reduction* of the "National Debt" have had such a wonderfully fine effect, that the said measures "will *soon* operate powerfully in diminishing the public burdens." *Soon!* why so Pitt and his set asserted nearly *thirty years ago*. It was by the means of this delusion (in which, I really believe, he himself was as much a dupe as any body) that he made his grand strides to power. Not a penny, however, has ever been *taken from the public burdens* on account of this debt. To defray the charge on account of the debt *more and more money is raised upon the people every year*. Last year the expences of the debt were greater than they were the year before; this year they will be greater than they were last year; and thus has the thing been going on ever since Pitt became minister. What impudence, then, must men have, or how grossly ignorant must they be, to tell us, that the public burdens will *soon* be lightened by the means of this debt system!—— In 1792, the year before the *war against the finances of France*, the people of this kingdom paid, annually, NINE millions of pounds on account of the debt. They paid last year THIRTY ONE millions on account of that debt; so that, in the space of 18 years, the debt has gone on increasing from 9 millions to 31 millions, notwithstanding the operation of the measure of *reduction;* and, in the face of this undeniable fact, these Abhorrers have the impudence to assert that that "wise measure will *soon* operate powerfully in *diminishing the public burdens*." To be sure, there is some allowance to be made for men who talk of "a *remedy* for the *reduction*." Pitt's scheme and measures were *a remedy* for the *reduction* with a vengeance. The ignorance of these people does not, however, prevent them from being able to mislead others. It is, therefore, necessary to expose the falsehood of their assertions. This is a false hope that they hold out. There will be no diminution of the public burthens arise from any of the measures yet adopted,

relative to the debt; and the only possible alleviation to be felt by those who pay the interest, is *the increase of the paper-money*, which causes, and must cause, a depreciation in the value of money, and of course, diminish the *real* amount of the interest received by the fund-holder.——FOURTHLY, we are desired by these Abhorrers to look at the state of the Continent of Europe, and, "*before* "*we complain*," compare the situation of France (and the countries she has overrun) with our own situation. When they were about it, they might have bid us look at China, where the people are compelled to kneel down and lick the dust when their masters pass by; or at Africa, where the people are sold into slavery. Why stop at France and the countries she has overrun? Why not tell us, at once, that until our rulers have the power, as in Algiers, to give us a flogging, or even to put us to death, whenever they please, we ought not to complain? What have we to do with *other countries?* Is an Englishman not to complain of any act of unlawful power, because there are more odious acts of that sort committed in other countries? What an insolent species of reasoning! ——Instead of waiting 'till our situation be as bad as that of enslaved nations, it behoves us, in looking at the state of those nations, to begin betimes to guard ourselves against their fate. But, without thinking it at all necessary in the way of answer to these Abhorrers, let us see a little into their *facts*. They say: "In "France and the countries she has brought "under her yoke, it is *known to a certainty*, "that the taxes are higher than in Great "Britain, and *collected in the most arbitrary* "*manner by the military power*; that *agri-* "*culture is every where crippled.*" I stop here, and call upon the reader to admire the impudence, the insolent contempt for the people's understanding, the profligate defiance of truth, here exhibited to the public. It is notorious, that, at this very time, *this kingdom receives part of its food from France and the countries she has brought under her yoke*, and that our corn-markets are regulated by the supplies therefrom received. It is notorious that this food is brought to us in the vessels of France and the countries she has brought under her yoke. What then must be the impudence or the ignorance of these hireling Abhorrers! The agriculture of France has, by many persons, been described as in a very flourishing state; but, without resorting to what any one has said, or can say, about it, we know, that France has corn to *sell*; we know that France has corn to *spare*; and we know that *we* are glad to purchase that corn, and to pay to our mortal enemy, yea even to Buonaparté, *a tax of, perhaps, six-pence or seven-pence upon every quarter loaf that we eat, that is made of imported wheat.* This is our situation: Buonaparté gives us leave to have French corn to make bread of; but he makes us pay him six-pence or seven-pence in tax for every quarter loaf made out of his corn. And, it is while we are carrying on such a traffick as this; while we are sending away all the gold and silver we can scrape together (for they will have none of our paper-money) to enrich the farmers in France and her dependent states; it is while this is going on, that we have men amongst us impudent enough to bid us be contented without any reform of abuses, to bid us hold our peace, because agriculture under the sway of Buonaparté is *every where crippled*, and that the *means of subsistence is denied to the people!*——But, again I return to my question: supposing what you say to be as true as it is false, what is the state of France to us? If the people of that country were actually starving for want of bread, owing to the government of Buonaparté, instead of having bread in such abundance as to be able to spare us some; if they were expiring with hunger, is that any reason why the people of England should be imprisoned, or punished in any way, without trial by a jury? When the people of England complain that Magna Charta and the Law of the Land have been violated, are they to be silenced by being told, that the people of France have no bread to eat!——It is curious to observe the strong resemblance which the reasonings of Buonaparté, or rather his statements, bear to the answers given us by those who are opposed to parliamentary reform, and who attempt to defend the recent measures of the House of Commons. These latter bid us look at the signs of *prosperity* all over the country; the *improvements* of every sort, and especially in *agriculture*; the new *roads, canals*, and the like. What is all this in answer to the man who complains of the decision upon Mr. Madocks's motion, or of the violation of Magna Charta and the Law of the Land? Supposing it shall, at last, be judicially decided, that Sir Francis Burdett and Mr. Gale Jones have been

illegally imprisoned; and, of course, if it shall appear that the violence and murders occasioned by the imprisonment of the former are wholly to be attributed to those, who ordered that imprisonment; supposing this should, at last, be the law, shall Sir Francis Burdett and Mr. Jones be told, and shall the relations of the murdered people be told, in answer to their complaints, that we have *vast improvements going on in highways, watercourses, and cattle-breeding?* If so; if this be an answer to those, who complain of violations of the constitution; if this be a sufficient answer, let us hear nothing more against the government of Buonaparté, who, every year, in his Exposé, takes care to give a very *full*, and, I dare say, pretty *true*, account of the many and great improvements in *agriculture*, *roads*, *canals*, and *bridges*. This is one of the old tricks of despotism. It generally takes care of its slaves, for precisely the same reason that a man takes good care of his horses and his sheep. I should think, that this circumstance, so very notorious as it is, of Buonaparté's boasting of his great improvements, or, "*amelioration*," (for that is the cant word) as to *roads*, and *canals* and *bridges* and *agriculture* and *schools* and the rest of it, would make our adversaries cautious how they fell into the same train of boasting. Were there, indeed, nothing to be looked after but mere eating and drinking and clothing and fire, in any part of the community; if *mind* and *sentiment* were wholly out of the question, then there might be some foundation for this sort of reasoning; but, does a man want *nothing* but food and raiment? And, besides, nothing is more true than that *real plenty* does hardly ever go hand in hand with these showy "*ameliorations*." In China every thing is in such order, that even a *pebble* is not to be seen to roughen the surface of the road, on which the emperor travels for hundreds of miles at a stretch. The whole country, in China, is a garden, better cultivated, perhaps, than the choicest kitchen gardens in this kingdom; and in India, not only are the fields in many cases, cultivated by the hand of man, but the corn is watered out of wells, the water being drawn and distributed by men, women, and children. Yet are the people in those countries the most wretched of slaves, though there are not wanting *writers*, who would be glad to see Englishmen in the same plight. "*India in England*" is the wish of their heart. Let us hear no more, then, about *improvements* and *ameliorations*, about roads and canals and bridges and enclosures and turnpike-gates as so many proofs of national "*prosperity*" and happiness; for, so to consider them is to consider the people of England as so many brutes, as so many animals, having no other cares than those relating to food and raiment.——There is, moreover, another reason, which, methinks, should make men in power shy of employing this argument; for, if PLENTY (and what are your agricultural improvements unless that be the effect of them); if plenty be *a proof of good government*, and of a state of things *that requires no change*, what must SCARCITY be a proof of? It is odd enough, that, while these gentlemen are chaunting out, with lungs of Brobdignagians, the vast *improvements* of the day, and quoting them as proofs of good government, they are equally loud against all improvement in the management of the public affairs, which they call *innovation* and *revolution* and what not! But, to come back to the proof afforded by plenty, what would be said of us Reformers, if we were to cite *scarcity* as a proof of *bad* government? Yet, nothing could be fairer. If fine fields and crops and cattle are to be cited as proof that no change in the system of politics is wanted, why may not bad crops and a scarcity of food be cited in proof on the opposite side? The quartern loaf is now *seventeen pence*. It may be much dearer; but which of us would not be called a most *seditious villain*, if he were to attribute the high price of the loaf to the mismanagement of public affairs? With full as much truth, however, and with as much sincerity might that be done, as the improvements of the roads and bridges and canals and cattle are imputed to the present system. There is no getting out of this. Either plenty is by no means to be attributed to the present mode of managing the affairs of the country, or, scarcity is to be attributed to that same cause. The latter has the better ground to stand upon, because the *waste of war* must always be *something*, though, comparatively, it cannot be any great deal. The keeping of a great number of the ablest hands from agricultural labour, and a great number of the best horses from the same sort of labour: these must produce *some* effect, and as this cause of diminution in point of produce *may*

arise from an erroneous management of the public affairs, part of the sufferings of scarcity *may* be attributable to the errors of government. Yet, in a time of scarcity of bread, that man would be deemed exceedingly base, who should lay the blame at the door of the prevailing system of government or politics; all "the *king's friends*," as they have the insolence exclusively to call themselves, would say, that such a man's object was to excite discontentment and sedition. With what face, then, can they put forward "the *flourishing* situation of the country" as a *proof* that the present mode of conducting public affairs is such that requires *no change?* Let them answer this question; and let them give a *satisfactory* answer to it; or, let them, in future, forbear to cite what they call the flourishing state of the country as a proof of the excellence of the system, which lets pass with impunity, crimes such as we have seen proved.—— The Abhorrers must not, however, pass off with the credit of *inventing* this argument against Reform. They borrowed it from Mr. DAVIS GIDDY'S reported Speech upon Mr. Brand's motion, where he is stated to have said, that, "The situation "of the country was most *flourishing*, as "our *public works, canals, harbours*, &c. "every where evinced. We had *no mili-* "*tary conscription* as other countries had. "We *had indeed taxes to pay;* but fleets "and armies *could not be supported without* "*incurring a great expence.* The people of "the country however, *lived at their ease*, "and even to *a prolonged period of life.*" ——So, here is an *additional reason* for being content without Reform; to wit; that we *live;* aye, and that we *live to be old* too! This is, indeed, a fine compliment to the borough-system! Say no more about it, ye cavillers. It lets us *live;* aye, lets us live out our life. Does not kill us. Does not knock us at head, when we become useless, as people do their old horses. ——This is something, indeed, though it has been pretty well ascertained that the *Italians* and *French* and even *Spaniards*, live *longer* than we do. But, as to living *at our ease*, few are those, I fancy, who have to boast of that sort of happiness, unless they are so situated as to draw their means of living out of the taxes, it being quite as much as any man, living upon his own earnings or income, can well do to provide for the calls of the various tax-gatherers.——Here, in Mr. Giddy's speech, is all the history of *canals* and *roads* and *harbours*. The Abhorrers of Westminster are mere imitators of Mr. Giddy. But, as Mr. Giddy will not, I am sure, deny that "a *flourishing* country" cannot mean a country where the produce of the land is so deficient as to compel the said country to pay to its avowed enemy, the enemy whom it mortally hates, a tax upon a part of the bread that it eats; as I am sure Mr. Giddy will not deny this, I shall certainly expect to hear him acknowledge, by-and-bye, that he was not aware of this circumstance, when he made his speech. To what extent this dependance upon the enemy may go, I shall not pretend to say; but, if it should go to any great extent, these reasoners may possibly have to repent of having broached such an argument; of having, in answer to our complaints against moral and political crimes, told us of the flourishing state of the lands and roads and rivers.——Mr. Giddy, like the Abhorrers, or, rather, they like him, boast that we have *no military conscription*, which boast I shall leave them to enjoy, hoping, however, that, next time they use it, they will explain *what it is* that military conscription *means*. But the Abhorrers go a little further, and tell us, that Buonaparté has sent thousands upon thousands of his subjects to *perish* in *Spain* and *Germany*. They appear to have forgotten those whom we sent to perish in *Flanders*, in *Portugal*, in *Holland*, and at *Walcheren!* Well may they ask: "how *very different* "is the situation of the people in this "happy country!" and well may they, omnipotent liars and hypocrites, call upon us to thank *Divine Providence* for the political blessings we enjoy!——Thus I dismiss these Abhorrers, upon whom I should have been ashamed to bestow so much time, had I not perceived in their Declaration all those ingredients of deception, by which so many good people have been misled; and especially that most mischievous, though fallacious argument, *that we are still better off than other nations are, and particularly the French.* What would our forefathers have said, if such an argument had been offered to them, when they turned out king James and passed the Bill of Rights? But, the truth is, that, at no time, previously to the disgraceful days of *alarm*, would such an argument have been thought of. Read all the debates and all the pamphlets of the reigns of the Stuarts, and you will never find such an idea coming even from the most venal of courtiers. It is, indeed, a most outrageous insult to

the nation to be told, that it is not to complain, because it is still not so much oppressed as those nations, whom it was formerly wont to despise for their slavery. There is no point at which this reasoning is bound to stop; for, if we were reduced to the state of the French, there are the Chinese and the Turks and the Algerines to bid us look at, and "thank *Divine Providence*," that our lot is better than theirs. We are, in short, to look all over the world, and as long as any part of the human race, any thing in human shape, is to be found more oppressed than we are, we are not to complain. Such is the main argument of the enemies of Parliamentary Reform. They have nothing else to offer; and, this, I trust, we shall treat with the indignation it deserves.

WM. COBBETT.

Botley, 31st May, 1810.

COBBETT'S

COMPLETE COLLECTION OF

State Trials:

The EIGHTEENTH PART of the above Work was published yesterday. One Part will appear, with the greatest regularity, on the first of each succeeding month. Subscribers who purchase the Work in Quarterly Volumes are respectfully informed that the Sixth Volume is now ready for delivery. Of the TWO HUNDRED and FORTY-THREE Trials or Proceedings, of which the first six Volumes consist, ONE-HUNDRED and TEN never before came into any Collection. The following is a List of the Articles contained in the Sixth Volume:

*** *The new Matter is marked* [N.]

208. Proceedings at the Conference in the Savoy, respecting a Review of the Liturgy, A. D. 1661 [N.]

209. The Trial of John James, a Fifth Monarchy Man, at the King's Bench for High Treason, A. D. 1661.

210. The Trial of Sir Henry Vane, knt. at the King's Bench for High Treason, A. D. 1662.

211. The Trial of John Crook, Isaac Grey, and John Bolton, Quakers, at the Old Bailey, for refusing to take the Oaths of Allegiance and Supremacy, A. D. 1662.

212. The Trial of Thomas Tonge, George Philips, Francis Stubbs, James Hind, John Sellers, and Nath. Gibbs, at the Old Bailey, for High Treason, A. D. 1662.

213. The Trial of Mary Moders, alias Stedman, styled the German Princess, at the Old Bailey, for Bigamy, A. D. 1663.

214. Proceedings, in the House of Commons, respecting a Message, alledged to have been carried by the Earl of Bristol to the King from Sir Richard Temple, undertaking that the King's Revenue should be settled, A. D. 1663 [N.]

215. Proceedings in Parliament against Edward Earl of Clarendon, Lord High Chancellor of England, for High Treason, and other High Crimes and Misdemeanors, A. D. 1663—1667.

216. The Trials of John Twyn, Printer, for High Treason; also of Thomas Brewster, Bookseller, Simon Dover, Printer, and Nathan Brooks, Bookbinder, for Misdemeanors, at the Old Bailey, A. D. 1663.

217. The Trial of Colonel James Turner, John Turner, William Turner, Mary Turner, and Ely Turner, at the Old Bailey, for Felony and Burglary, A. D. 1664.

218. The Trial of Margaret Fell and George Fox, for not taking the Oath of Obedience, A. D. 1664 [N.]

219. A Trial of Witches, at the Assizes held at Bury St. Edmond's for the County of Suffolk, A. D. 1665. Before Sir Matthew Hale, knt. then Lord Chief Baron of his Majesty's Court of Exchequer [N.]

220. The Trial of Mr. Benjamin Keach, at the Assizes at Aylesbury, in Buckinghamshire, for a Libel, A. D. 1665.

221. The Case of the Jurisdiction of the House of Peers, between Thomas Skinner, Merchant, and the East-India Company, A. D. 1666 [N.]

222. The Trial of the Lord Morley, for Murder, before the House of Lords, A. D. 1666.

223. Proceedings on an Impeachment of the Lord Viscount Mordaunt, of High Crimes and Misdemeanors, A. D. 1666 [N.]

224. Examinations concerning the Firing of London, A. D. 1666 [N.]

225. Proceedings against Peter Pett, Gentleman, upon an Impeachment for several High Crimes and Misdemeanors, A. D. 1668, [N.]

226. Proceedings against Sir William Penn, knight, upon an Impeachment for several High Crimes and Misdemeanors, A. D. 1668, [N.]

227. The Trials of Peter Messenger, Richard Beasley, William Green, Thomas Appletree, John Earles, William Wilks, William Ford, Richard Farrel, Edward Cotton, Edward Bedle, Richard Latimer, John Sharpless, Richard Woodward, Thomas Limerick, and John Richardson, at the Old Bailey, for High Treason, in tumultuously assembling themselves in Moorfields, and others places, under Colour of pulling down Bawdy Houses, A. D. 1668.

228. Proceedings against the Earl of Orrery, on an Impeachment of High Crime and Misdemeanors, A. D. 1669 [N.]

229. The Trial of Robert Hawkins, Clerk,

late Minister of Chilton, at the Assizes at Aylesbury, for Felony, A. D. 1669.

230. The Trial of William Penn and William Mead, at the Old Bailey, for a Tumultuous Assembly, A. D. 1670.

231. Case of the Imprisonment of Edward Bushell, for alledged Misconduct as a Juryman, A. D. 1670 [N.]

232. Proceedings in the House of Commons against the Duke of Lauderdale, A. D. 1674. [N.]

233. Proceedings in the House of Commons against the Duke of Buckingham, A. D. 1674. [N.]

234. Proceedings in the House of Commons against the Earl of Arlington, A. D. 1674. [N.]

235. The Proceedings in the Court of King's-Bench, Exchequer, and House of Peers, in the Case of Sir Samuel Barnardiston, bart. against Sir William Soame, Sheriff of Suffolk, concerning the Election of Members to Parliament, A. D. 1674.

236. Case of Privilege of Parliament: being Proceedings in Parliament, on an Appeal brought in the House of Lords, by Dr. Shirley, against Sir John Fagg, and other Members of the House of Commons, A. D. 1675. [N.]

237. Proceedings against Mr. Francis Jenkes, for a Speech made by him on the Hustings, at Guildhall, in the City of London, on Midsummer-day, A. D. 1676.

238. The Trial of James Mitchel, in Scotland, for attempting the Murder of Dr. James Sharp, Archbishop of St. Andrews, and wounding the Bishop of Orkney, A. D. 1677.

239. Proceedings before the Lords of the Articles, &c. against Charles Maitland, of Halton, Treasurer Depute, for Perjury, in having given a false Testimony, at the Trial of James Mitchel, A. D. 1681.

240. Proceedings in the Case of Anthony Earl of Shaftsbury, at the King's-Bench, on an Habeas Corpus, A. D. 1677.

241. The Trial of Philip Earl of Pembroke and Montgomery, at Westminster, for the Murder of Nathanael Cony, A. D. 1678.

242. Case of the Constitution of the Island of Jamaica, A. D. 1678 [N.]

Introduction to the Trials for the Popish Plot, A. D. 1678-1685.

Burnet's Account of the Popish Plot.

Oates's Narrative of the horrid Plot and Conspiracy of the Popish Party against the Life of his Sacred Majesty, the Government, and the Protestant Religion: With a List of such Noblemen, Gentlemen, and others, as were the Conspirators: and the head Officers, both Civil and Military, that were to effect it.

Mr. Samuel Atkins's Account of his Examination before the Committee of Lords, appointed to examine into the Murder of Sir Edmundbury Godfrey.

The Examination of Captain William Bedlow, deceased, relative to the Popish Plot; taken in his last Sickness, by Sir Francis North, Chief Justice of the Court of Common Pleas. Together with the Narrative of Sir Francis North, at the Council-Board: And the Letter of Sir Francis North, to Mr. Secretary Jenkins, relating to this Examination.

Curious Passages published by Sir John Dalrymple, as Extracts from Lord Keeper North's MS.

243. The Trial of William Stayley, Goldsmith, at the King's-Bench, for High Treason, A. D. 1678.

RESOLUTIONS, PETITIONS, REMONSTRANCES, *&c. on the* LIBERTY OF THE SUBJECT *and* PARLIAMENTARY REFORM, 1810.

BERWICK MEETINGS.

(From the Berwick Advertiser.)

On the 7th instant a Motion that had been formerly made was discussed in Guild, that certain Resolutions, expressing the opinion of this Borough, be entered into, comprising a Letter of Thanks to Sir Francis Burdett, and a Petition to Parliament for a more equal Representation of the people. The Mayor warmly opposed the measure, and urged the necessity of adopting a different mode of proceeding at this particular crisis, by shewing their loyalty to Government, in rejecting the Motion; alledging that interested motives could not be ascribed to him, as he was neither placeman nor pensioner; but he considered it the duty of every man to stand by the Government of the country.

Mr. James Graham, who made the Motion, replied, and entered at large into the meaning of Loyalty, which he contended meant a complete subserviency to Ministers, and an approbation of their measures, however ill planned, disastrous, disgraceful, or wasteful they might be; nothing but unbounded applause to every thing said or done by the king's ministers now, made a loyal subject; and however deficient any man might be in his social or relative duties, if he only said Amen to every ministerial measure, it operated as a Bill of indemnity for every other anomaly he might be guilty of. Mr. G. then described what true loyalty was, and entered at large into the necessity of Parliamentary Reform.

A poll was demanded on the question, which was proceeding in the usual way, when the Mayor, taking advantage of the thinness of the Hall (it re-

quiring 24 persons present to constitute a Guild,) dissolved the Meeting, and by this manœuvre got rid of the question. Those Burgesses friendly to the measure immediately called a Meeting of their brethren, and a requisition was signed and presented to the Mayor for the use of the Hall, which was granted. On the following evening several Burgesses met, and signed the Resolutions originally proposed, which with the Letter of Thanks, were immediately transmitted to Sir Francis Burdett. On the Saturday following the Alfred Newspaper was received here by a number of the Freemen, containing the Resolutions, Letter, and Names of those who signed it; but from some error it was put in the Alfred as being the constitutional act of the Borough, in Guild assembled, which it was not; for the Guild cannot act in a corporate capacity, without the presence of the Mayor. The following are the Resolutions and Letter, as they appeared in the Alfred:—

"*Sir Francis Burdett.*"

"The loyal inhabitants of Berwick-upon Tweed having been convened by James Graham, esq. the Coroner, in the absence of the Mayor, (who has not been at Berwick for some time,) the following Resolutions were passed without a dissentient.

MOTION 1.—"That a Letter of Thanks from this Corporation be sent to Sir F. Burdett, for his steady perseverance to procure a redress of grievances, and a Reform in Parliament, and his uniform patriotic defence of the Liberties of the People, particularly in the case of Mr. Gale Jones, who is now immured in a gaol, without having the benefit of that invaluable privilege, which is so justly dear to every Englishman—a Trial by Jury. And that our present Representatives be instructed to support the Petition presented to Parliament, by the independent Electors of Westminster; and that our present members be further instructed, to support to the utmost of their power and abilities, the motion intended to be brought forward for a Reform in the British House of Commons.—That these Resolutions be published in the London Courier, Edinburgh Advertiser, and the Berwick Advertiser."—MOTION 2.—"That a Petition and Address for a more equal representation of the people in Parliament. and for a redress of Grievances, be presented to the House of Commons, and that our Representatives be instructed to present and support the same." *Berwick May* 5, 1810.

The following is a copy of the Letter transmitted to Sir Francis Burdett, and of the Names of the Gentlemen signing:

TO SIR FRANCIS BURDETT, BART.

"Sir;—We, the free and independent Burgesses of Berwick-upon-Tweed, taking into consideration the particular circumstances in which this country has been placed for a long time past; the many important discussions which have taken place; the great variety of abuses which have been discovered in almost every department of the State; have, more or less, engaged the attention of every considerate man; but the late transactions have justly filled the Nation with alarming anxiety. In all the debates which these matters have given birth to, in the British House of Commons, as well as upon any public occasion, it has given us much satisfaction to observe, that you have been the uniform friend to not only Parliamentary Reform, but to the Reform of all other abuses. We have likewise observed, with pleasure, that your maxims of Reform, however much they have been stigmatised by the friends of corruption, were not the ideas of a fanciful Theorist, but the calm investigation of a mind, accustomed to deep research, pointing out, upon every occasion, the Constitution in its original purity, as a rallying point for every real lover of his country. This is the Reform which we want, and none other. We have likewise observed, with much pleasure, that you have been the uniform friend of the distressed; you have upon every occasion exerted yourself to procure a redress of their wrongs, or to mitigate the sufferings of those who had few to help them. These things have endeared you to the friends of humanity, and must, no doubt, be a source of inward pleasure and satisfaction to yourself. The lively interest which you took relative to the commitment of Mr. Gale Jones to Newgate (and which was the leading cause of your own much-to-be-lamented situation) was greatly interesting to every Englishman. We will not enter into the discussion of the privileges of the House of Commons. They certainly have privileges of an extensive nature, and so long as they are exerted in the defence of the lives, liberty, and property of the people, we sincerely hope they will be maintained inviolate. But that any individuals should be committed to gaol for an

indefinite length of time, because they have presumed to discuss the merits or demerits of our own Representatives; or even to publish their own opinions upon their conduct, without having the benefit of what is justly dear to Englishmen, a Trial by Jury, fills us with the most alarming apprehensions, and we scruple not to say, if passed into a law, or made a precedent for future conduct, all the gaols of the kingdom will not be sufficient to contain the twentieth part of the people who may be found guilty. We consider the freedom of discussion, and the liberty of the press, as the birth-right of every Englishman, and the best guardian of our rights and privileges, and hope, that they will be handed down inviolated to the latest posterity. It is from these considerations that we are this day assembled to express our gratitude to you, and to instruct our Members to exert all their abilities to obtain a Reform in the British House of Commons, trusting that you will continue the steady and inflexible patriot, with no other object in view, but the good of our country, and the happiness of every individual.—We sincerely hope, that you will soon be restored to your anxious family, and to fulfil the important duties of the Representation of your worthy Electors. We are very respectfully, Sir, your most humble Servants,

JAMES GRAHAM, Coroner.

[This Letter was signed by other 65 Burgesses.] *Berwick, May* 11, 1810.

After the circulation of this Paper some of the Magistrates issued the following notice:

"It appearing to us highly improper and indecorous, that the Coroner of this Borough should take upon himself to convene a Corporate Meeting, which he has no authority to do by the Charter, Constitution, or usage of the Corporation: and that 66 out of upwards of 500 resident Burgesses should, at a Meeting so convened, make use of the name and authority of the Corporation in passing Resolutions and giving instructions to the Representatives of the Borough, and that it is proper that such of the Burgesses as disapprove of this proceeding, should have an early opportunity of shewing their disapprobation, we request a Meeting of those Burgesses who concur with us in opinion, at the Town Hall, on Wednesday first at ten o'clock.

TO THE INHABITANTS AT LARGE.

"We also request a Meeting of the Inhabitants of the Parish, to consider of the propriety of entering into Resolutions of a contrary tendency to those at the Meeting on the 5th inst. at the Town Hall, on the same day, at one o'clock. JOHN CLUNIE, DAVID LOGAN, JAMES BELL, WM. PATTISON."

Town-Hall, Berwick,
21st May, 1810.

Accordingly at the time appointed, a numerous meeting of the Burgesses took place. One of the Magistrates then came forward, and proposed, that a Resolution disapproving of the former ones should be adopted and signed by the Meeting.—It is impossible for us to describe the particulars of this Meeting, but the war of words, we understand, raged, and the epithets of placemen, pensioners, abetters of corruption, &c. were plentifully bestowed upon those Gentlemen who had called the Meeting. The clamour at length became so great, and the sense of the Meeting so decidedly hostile to the proposed Resolution, that a very large majority of the Burgesses quitted the Inner Hall, and stopped in the Outer one, when a number signed the original Resolutions. The Magistrates also signed their Resolution, and in course of the forenoon they went canvassing for names, but with little success. But this repulse at the Burgesses Meeting was nothing to the terrible defeat which they had to sustain, at the Meeting which assembled at one o'clock.

At about half past one o'clock, the Inhabitants began to assemble, and the Inner Hall was soon completely filled. Mr. J. Graham's arrival was announced by thunders of applause. Mr. R. Romer then moved, that John Clunie, Esq. do take the Chair (Loud cries of No! no!) Mr. J. Graham was then proposed by numerous voices to take the Chair, and at the request of John Clunie, Esq. a division took place, when there appeared but few out of several hundreds in favour of himself. Mr. Graham immediately took the Chair amidst loud huzzas, and addressed the Meeting to the following effect:—

Gentlemen; I feel most sensibly the high and distinguished honour which has this day been conferred upon me. Never, during the whole time of my residence in Berwick, but once, do I recollect of so numerous and highly respectable a

Meeting. It has all along been my constant endeavour to act in the most candid and liberal manner towards all those who may differ from me in opinion; and I trust, that on this occasion, an opportunity will be afforded to every Gentleman to express his sentiments on the subject for which this Meeting has been called. Gentlemen, truth is our object, and if our cause will not bear discussion, that cause cannot be good. I trust, therefore, that no interruption will be made to any one in the expression of his sentiments, however much these sentiments may differ from ours. It is the inherent right of every man, and especially of Englishmen, upon every occasion on which his rights and liberties are at stake, to express his opinions in a legal, constitutional and firm manner. Gentlemen, the laws of my country no man values and reveres more than I do, and did I live in Turkey, or in any other country, I would consider it to be my duty to submit to the laws of such country. But in order to pay a willing obedience to such laws, it is necessary that they be clearly defined, and intelligible to my mind. It is absolutely impossible for me to know whether I am acting agreeably to laws of which I have no knowledge. What opinion can we have of the government of that country, where the subjects are punished not according to written, clear, and explicit laws, but to laws of an arbitrary and undefined nature. The greatest tyrants and despots of whom I ever read in history, had laws, however cruel those laws might be, that were clearly understood by their subjects. Gentlemen, the case of John Gale Jones you are all well acquainted with. He was sent to gaol for the violation of what is called the Privileges of the House of Commons, and if we may credit newspaper reports has the scanty pittance of two-penny worth of bread in the four and twenty hours. That the House of Commons have great Privileges, I do not deny, but such Privileges I do contend are not superior to the laws of the land. The House of Commons have no right, in my opinion, to punish any subject of these realms contrary to those laws. Agreeably to Magna Charta, and the great and glorious laws framed by our wise and venerable ancestors, no man shall suffer punishment without a Trial by Jury. Mr. Gale Jones is at present incarcerated, without enjoying the privilege of such trial. What a dangerous situation are we placed in, if at the discretion of the House of Commons, we are liable to be punished for any opinion which we may express contrary to the wish of that House. Gentlemen, were these privileges clearly defined and hung up in every court and public place in every town, in that case, we should know well what we were about; and if we chuse then to act in contradiction to those privileges, we must quietly acquiesce in the punishments incurred. But while I know nothing of these privileges, how am I certain but at this very moment I may be violating them. What I wish most strenuously to impress upon your minds and recommend to your consideration, is the absolute necessity of a Reform in the Commons House of Parliament. Without this, Gentlemen, no good is to be done. It is indeed the only great and necessary object for the salvation of this country. It is allowed indeed to be so, by every intelligent and considerate man in this kingdom. The Commons themselves admit the necessity of a Reform, and none but the most venal, corrupt, and pelf-pursuing crew oppose it. Gentlemen, it is needless I dare say, for me to expatiate on a topic of which I presume your minds are already made up as to the necessity. With regard to the imprisonment of sir F. Burdett, I give it as my firm belief that his imprisonment is perfectly illegal; in this belief I have the sanction of my lord Erskine, who in that truly noble and excellent speech, which I dare say you have all read, which was delivered a few days ago in the House of Lords, upon the Privileges of Parliament: in which speech he asserts most unequivocally, that the Commons have no right to inflict punishment but by law. Upon that occasion, he said, that should the Commons imprison my lord Ellenborough, he would resist the usurpation with his strength, his bones, and his blood. Sir S. Romilly, too, another great and constitutional lawyer, has given it as his opinion; that the Commons have made a stretch of power. Gentlemen, I shall conclude with again recommending it to you to give every one who wishes to express his opinion, a patient hearing.

Mr. George Bogue then came forward with the following Resolutions:

Resolved, 1st. That this Meeting do highly approve of the proceedings of the Burgesses of this Borough, at their Meeting of the 8th instant, in which they expressed their approbation of the conduct

of sir Francis Burdett, and entirely concur in their opinion that a Reform in Parliament is absolutely necessary for the salvation of our country.—2d, That this Meeting do highly disapprove of the conduct of the magistrates above-named, in calling a Meeting for the specific purpose of counter-acting the Resolutions of the Meeting of the Burgesses on the 8th instant, legally and constitutionally convened; and the more so, that after finding at the Meeting convened by themselves, that a great majority disapproved of their proceedings, they have resorted to the unconstitutional means of canvassing the Borough, and using their influence for obtaining Signatures to their Counter Resolutions.—3d, That this Meeting do recommend to the Burgesses of this Borough, previously to the election of their Representatives in Parliament, seriously to consider whether those persons who offer themselves as Candidates are men of such independent principles as entitle them to the confidence of their Constituents: and that a Petition to the Commons House of Parliament, for a more equal representation of the people, and for a redress of grievances, be presented from this Meeting.—4th, That the Thanks of this Meeting be given to the Chairman, for his able and impartial conduct in the Chair.—5th, That the above Resolutions be signed by the Chairman, and inserted in the Alfred London Newspaper, and Berwick Advertiser.

On the first Resolution being read, Mr. *Burn* then spoke in substance as follows:

Sir; I most decidedly object to that Resolution. I stand here, however, as independent as any man. I insist upon the right of being heard, and I shall state to you what are my objections to that Resolution. Gentlemen, the laws of this country no man esteems more highly than I do. From my profession, I must have some knowledge of those laws. To the liberties and just rights of Englishmen, I am a warm friend; those rights and liberties I shall ever support. Gentlemen, it is my interest to do so; it never can be supposed, surely, that I can wish to violate; to rob the people of those rights. I am myself one of the people, and it cannot be supposed that I can act otherwise than support them. — Gentlemen, Great Britain, at this momentous period, stands like a mighty column in the midst of a dreary waste. She has withstood the shocks which have produced the downfal and destruction of surrounding nations. She is at this moment pre-eminently great. This is owing in a peculiar manner to her excellent Laws and Constitution, for which she is distinguished above all other countries. Ours is a Constitution, Gentlemen, which has been the admiration of the wisest and most learned in every country; the envy of many nations. Gentlemen, it is our sacred duty to rally round this Constitution. It is our duty to preserve it inviolate. It is my veneration for the laws of my country, which prevents me from acceding to that Resolution. Sir F. Burdett, Gentlemen, I am willing to believe, is actuated by the very best intentions. I give him full credit for those intentions. I believe him to be an honest man, and to have at heart the real welfare of his country. He possesses, I must say, great talents and ability. Still I do contend, that, notwithstanding all this, he is not infallible. Sir F. Burdett is liable to error; to mistake. The contest between him and the House of Commons is at this moment before the most solemn and august judicature of this kingdom, or perhaps of the whole world, the Court of King's Bench. Gentlemen, the decision of that Court, it is our duty to abide by as the law in this case; I cannot pretend to say, whether Sir Francis has acted right or wrong. I shall acquiesce in the decision of that Court. If it is decided there that Sir Francis has done right, I shall with all my heart and soul subscribe to that Resolution; but if it is decided that he has done wrong, I must of course act otherwise. The passing of this Resolution can have no effect on the question at issue. It rests not with us to pronounce how far Sir Francis has acted right or wrong. This is not the time to decide on this matter, and I consider, that such Resolution is a prejudging of the question. I therefore move, as an amendment to that Resolution, that this Meeting do adjourn. (Murmurs and marks of disapprobation.)

Mr. *M. Jameson* spoke as follows:—Although I completely differ in opinion from the last Speaker, I give him credit for the frank and manly way in which he has delivered his sentiments; I too profess myself to be a lover of our Constitution, and a friend of the people, of whom I am an humble individual. I have sworn allegiance to my king, I have borne arms as a volunteer in the service of my country, I am ready and willing to do so again when called upon. From my habits and profession in life I have some

knowledge of the laws and constitution of my country, and the more I know of it, the more I admire and revere our glorious Constitution. But with all this reverence for the Constitution, I cannot admire the abuses which have from time to time crept into it. I will rally round the King, the Constitution, and the Laws, but I will not rally round the present weak and inefficient Ministry! men who have paralyzed and exhausted the strength and resources of the Country, in ill-fated, and inglorious Expeditions. With regard to the argument that the present is not the time for the people to declare their sentiments—I am of a quite contrary opinion. This was the stale trick always resorted to by the Enemies of Reform, by which the good People of England had been so long and so often duped and deceived. It was indeed the old story over again. "When I have a more convenient season, I will send for you." On the contrary, in my humble opinion, to use the emphatic language of Sir F. Burdett, "Now is the time for every Englishman to speak out," and no danger could possibly result from the expression of the public opinion.—Those who are acquainted with the honour and probity of Lord Ellenborough and the integrity of a British Jury, know, that they would decide according to the Law of the Land; for my part I most cordially approve of the whole Parliamentary conduct of Sir F. Burdett, who I believe to be one of the most patriotic Members in the House of Commons, who has been the steady and uniform friend of Reform, the determined enemy of Corruption, and has always stood forth the Champion of the Rights and Privileges of the People.—The question was whether the House of Commons had a right to imprison the people of England without trial. Sir Francis has denied that right—and in that opinion I beg leave humbly to concur. By Magna Charta, no man could be imprisoned except according to the Law of the Land, or the judgment of his Peers. It was contended, that the privilege claimed by the House of Commons was according to the Laws and Custom of Parliament, and consequently part of the Law of the Land, and in support of this doctrine, the names of Lords Hale and Coke were cited; great names certainly to which I am bound to pay respect and reverence. But if it should appear that there were statutes unrepealed, standing on the statute book in restraint of this custom, which I have no doubt will turn out to be the case, I say with Lord Erskine, that such statutes while unrepealed must be taken to be the Law of the Land—and no power in this country short of the authority of King, Lords, and Commons can repeal them. The Laws of the Land I reverence, but I also say with Lord Erskine, that I would rather die than submit to any authority but the dominion of the laws.—For these and other reasons I beg leave most cordially to second the Resolution.

Mr. *Jackson*.—Mr. Chairman, Mr. Jameson says that he approves of the whole of the conduct of Sir F. Burdett: Now, I wish to know whether he approves of that part of his conduct of purchasing a seat in the House of Commons from the Duke of Newcastle—this is a fact which cannot be denied, (cries of Lie! lie! False! false!) It is well known too, that at the Middlesex Election, when he opposed Mr. Mainwaring, 1,200 persons were guilty of perjury; when prosecutions were commenced against them, bills of indictment were found against sixty; Sir Francis then proposed to Mr. Mainwaring, that if he would withdraw his prosecutions against those persons he would resign his seat, which was accordingly done.—(Loud hisses.)

Mr. *Todd*, schoolmaster.—Mr. Jameson says, that he has the highest confidence in my Lord Ellenborough and a British Jury, and that the verdict which will be given will be a just one. If that is the case, why does he press this Resolution and not wait till that verdict is given? It is surely premature to give an opinion at this meeting as such an opinion may be different from, that verdict—(Hisses, and cries of Go to School! go to School! where are your scholars! what business have you here!)

The first, second, and third Resolutions were then put, and carried amidst a general acclamation.—The Chairman then read a draught of a Petition to the House of Commons, for a Reform in that House, which was most highly and loudly approved of. The Magistrates who called the Meeting retired with one or two of their friends, amidst groans, hisses, and cries of Sneaking off, sneaking off, Stole away, stole away.—Mr. Jameson then moved the 4th Resolution, which was unanimously agreed to amidst the loudest plaudits. It was then moved that these Resolutions be inserted in the Berwick Advertiser, and in the Alfred London pa-

per, which was agreed to.—On the motion of Mr. Jameson, That a Committee be appointed to revise and correct the Petition which had been read by the Chairman, to be presented to the House of Commons for a Reform thereof, and that it be signed by the Chairman and the Committee in behalf of the Meeting, was unanimously agreed to.—A number of gentlemen were then nominated and appointed as a Committee for that purpose.

Mr. Graham was then chaired from the Hall, and followed by several hundred of the Inhabitants, who cheered him all the way to his own house.

SIR FRANCIS BURDETT.

First REPORT *from the Select Committee on Proceedings relative to Sir Francis Burdett.*—[*Ordered, by the House of Commons, to be printed,* 11*th May,* 1810.

The Select Committee, appointed to consider of the Proceedings had, and to be had, with reference to the several Papers signed "Francis Burdett;" the Contents of which related to his being apprehended and committed to the Tower of London; and which Papers were communicated to the House by Mr. Speaker, upon the 13th and 17th days of April last; and to report such Facts as they may think necessary, together with their Opinion thereupon, from time to time to the House; and to whom the matters stated by the Serjeant at Arms attending the House, and the Process served upon him in an Action at Law by Sir Francis Burdett; and also the Summons served on Mr. Speaker, and the Notice of Declaration delivered to the Serjeant at Arms, at the suit of the said Sir Francis Burdett, were referred; have, pursuant to the Orders of the House, with all dispatch, considered the matters referred to them; and have agreed to the following Report:—

It appears to your Committee, after referring to the order of the House of the 5th day of April last, for the commitment of Sir Francis Burdett to the Tower; the Warrants of the Speaker for that purpose; the Letter of Sir Francis Burdett to the Speaker, dated the 17th day of April last; the Report and Examination of the Serjeant at Arms, touching his proceedings in the execution of such warrants; the notices of the Speaker referred to your Committee; the demand made upon the Serjeant at Arms of a copy of the warrant under which he arrested Sir Francis Burdett; the writ served upon the Serjeant, and the summons served upon the Speaker and the notice of declaration filed against the Serjeant; which said notices, demand, writ, and summons, are all at the suit or on behalf of the said Sir Francis Burdett, and all bear the name of the same Solicitor, John Ellis:—That the said proceedings have been brought against the Speaker and the Serjeant, on account of what was done by them respectively in obedience to the order of the House; and for the purpose of bringing into question, before a Court of Law, the legality of the proceedings of the House in ordering the commitment of Sir Francis Burdett, and of the conduct of the Speaker and the Serjeant in obedience to that Order.

1.—Your Committee, not in consequence of any doubt upon the question so intended to be raised, but for the purpose of collecting into one view such precedents of the proceedings of the House, upon cases of Breach of Privilege, as might afford light upon this important subject, have in the first place examined the Journals, with relation to the practice of the House in commitment of persons, whether members or others, for breaches of privilege, by offensive words or writings derogatory to the honour and character of the House, or of any of its members; and they have found numerous instances, in the history of Parliament, so far as the Journals extend, of the frequent, uniform, and uninterrupted practice of the House of Commons, to commit to different custodies persons whom they have adjudged guilty of a breach of their privileges by so offending.

The statement of these precedents, which establish the law of parliament upon this point by the usage of Parliament; the utility of such law; and the necessity which exists, for its continuance, in order to maintain the dignity and independence of the House of Commons; its analogy to the acknowledged powers of Courts of Justice, and the recognition of such right in various instances, by legal authorities, by judicial decisions, and by the other branch of the legislature; as well as the invariable assertion and maintenance of it by the House of Commons, are topics which may be reserved for a further Report. And, although there are some instances in which the House has

thought proper to direct prosecutions for such offences, yet the Committee confidently state that the more frequent practice of the House at all times has been to vindicate its own privileges by its own authority.

2. The subject which appears to your Committee to press most urgently for an immediate report, is, the state of the law and the practice of the House in cases either of criminal prosecution or civil action against any of its Members, for any thing spoken or done in the House of Commons; or for any proceeding against any of its officers, or other persons acting under its authority.

The principal instances to be found under this head arose out of those proceedings which, in the time of Charles I, Charles II, and James II, were instituted by the officers of the Crown, in derogation of the rights and privileges of the Commons of England. Those proceedings were resisted, and resented by the House of Commons; were condemned by the whole legislature, as utterly and directly contrary to the known laws and statutes and freedom of this realm; and led directly to the declaration of the Bill of Rights, "That the freedom of speech, and debates or proceedings in Parliament, ought not to be impeached or questioned in any court or place out of Parliament;" —and your Committee have no hesitation in stating, that this article in the Bill of Rights extends as clearly to actions or indictments brought, or prosecutions by individuals, as to informations or other proceedings directly instituted by the authority of the Crown.

The law of Parliament on this subject, so far as relates to words spoken in Parliament, was legislatively declared in a statute to be found in the Parliament roll of the 4th of Henry VIII. By that act, the Rights and Privileges of free speech in Parliament are established, and a special action is given in favour of the party injured by any action brought against him for words spoken in Parliament. And, from this statute, it appears that Parliament, at that time, when the case occurred, which seemed to shew the expediency of legislative provision to give fuller force and protection to its privileges, made it the subject of such provision.

In the 5th of Charles I. an information was filed against Sir J. Elliot, Denzel Holles, Esq. and Benjamin Valentine, for their speeches and conduct in the House of Commons; judgment was given against them in the King's Bench, they were sentenced to imprisonment, and were fined: In the Parliament which met in 1640, the House of Commons, after a report made of the state of the cases of Mr. Holles and the rest of the imprisoned Members, in the 3d of Charles, came to several resolutions; by which they resolved, that these proceedings were against the law and privilege of Parliament; and condemned the authors and actors in them, as persons guilty of a breach of the privilege of Parliament.

In the reign of Charles II. these proceedings were again taken into consideration; and the House of Commons came to several Resolutions. On the 12th of November 1667, they resolved, That the Act of Parliament in the 4th year of the reign of Henry VIII. above referred to, is a declaratory law of the ancient and necessary Rights and Privileges of Parliament. On the 23d of November 1667, they resolved, That the judgment above referred to against Sir J. Elliot, D. Holles, and B. Valentine, Esquires, in the King's Bench, was an illegal judgment; and on the 7th December 1667, they desired the concurrence of the Lords. The Lords, on the 12th of December, agreed with the Commons in these votes.

Your Committee next refer to the case of Sir William Williams; the detail of which they proceed to insert from the report of a former committee of this House.

The case of Sir William Williams, against whom, after the dissolution of the Parliament held at Oxford, an information was brought by the Attorney-General, in the King's Bench, in Trin. Term. 36 Car. 2, for a misdemeanor, for having printed the information against Thomas Dangerfield, which he had ordered to be printed when he was Speaker, by order of the House. Judgment passed against him on this information, in the second year of King James II. This proceeding the Convention Parliament deemed so great a grievance, and so high an infringement of the rights of Parliament, that it appears to your Committee to be the principal, if not the sole object, of the first part of the eighth head of the means used by King James to subvert the laws and liberties of this kingdom, as set forth in the declaration of the two Houses: which will appear evident from the account given in the Journal, 8th February, 1688, of the forming of that declaration, the eighth head of

which was at first conceived in these words: *videlicet*, "By causing informations to be brought and prosecuted in the Court of King's Bench, for matters and causes cognizable only in Parliament, and by divers other arbitrary and illegal courses."

11th February, 1688.—"To this article the Lords disagreed; and gave for a reason, because they do not fully apprehend what is meant by it, nor what instances there have been of it; which therefore they desire may be explained, if the House shall think fit to insist further on it."

12th February, 1688.—"The House disagree with the Lords in their amendment of leaving out the 8th Article. But in respect to the liberty given by the Lords in explaining that matter; Resolved, 'That the words do stand in this manner; by prosecutions in the Court of King's Bench for matters and causes cognizable only in Parliament, and by divers other arbitrary and illegal courses.' By which amendment, your Committee observes, that the House adapted the Article more correctly to the case they had in view; for the information was filed in King Charles II.'s time; but the prosecution was carried on, and judgment obtained, in the 2nd year of King James."

'That the meaning of the House should be made more evident to the Lords, the House ordered, "That Sir William Williams be added to the managers of the conference;" and Sir William Williams the same day reports the conference with the Lords; and, "That their Lordships had adopted the article in the words as amended by the Commons." And corresponding to this article of grievance, is the assertion of the right of the subject, in the ninth article of the declaratory part of the Bill of Rights; viz. "That the freedom and debates or proceedings in Parliament, ought not to be impeached or questioned in any court or place out of Parliament."

'To which may be added, the latter part of the sixth resolution of the exceptions to be made in the Bill of Indemnity, Journal, vol. x. p. 146, wherein, after reciting the surrender of charters, and the violating the rights and freedoms of elections, &c. it proceeds in these words: "And the questioning the proceedings of Parliament, out of Parliament, by declarations, informations, or otherwise, are crimes for which some persons may be justly excepted out of the Bill of Indemnity."

On the 11th of June, 1689, the House ordered, "That the Records of the Court of King's Bench, relating to the proceedings against William Williams, Esq. now Sir William Williams, Knt. and Bart. late Speaker of this House, be brought into this House, by the Custos Brevium of the said Court, on Thursday morning next.

On the 12th of July, "the Record was read; and the House thereupon Resolved, That the judgment given in the Court of King's Bench, in Easter term 2 Jac. 2di. against W. Williams, Esq. Speaker of the House of Commons in the parliament held at Westminster 25th October, 32 Car. 2di. for matter done by order of the House of Commons, and as Speaker thereof, is an illegal judgment, and against the freedom of Parliament.

"Resolved, That a bill be brought in to reverse the said judgment."

This bill was twice read, but went no further in that session:—A similar bill was in the following session ordered to be brought in; and a third bill passed the Commons in 1695, and was sent up to the House of Lords, but did not proceed there to a second reading.

It appears further, that on the 4th of June, 1689, "a petition of John Topham, Esq. was read; setting forth, that he, being a Serjeant at Arms, and attending the House in the years 1679 and 1680, when several orders were made, and directed to the Petitioner, for the taking into his custody the several persons of Sir Charles Neal, &c. &c. and others, for several misdemeanors by them committed, in breach of the privilege of the House; and after that the Commons were dissolved, the said persons, being resolved to ruin the Petitioner, did, in Hilary Term, the 33rd or 34th of King Charles, sue the Petitioner in the King's Bench in several actions of trespass, battery, and false imprisonment, for taking and detaining them as aforesaid: to which actions the Petitioner pleaded to the jurisdiction of the Court, the said several orders; but such his plea was over-ruled; the then Judges ruling the Petitioner to plead in chief, and thereupon he pleaded the orders in bar to the actions: notwithstanding which plea and orders, the then Judges gave Judgment against him, &c."

(To be continued.)

Published by R. BAGSHAW, Brydges-Street, Covent-Garden:—Sold also by J. BUDD, Pall-Mall,
LONDON:—Printed by T. C. Hansard, Peterborough-Court, Fleet-Street.

COBBETT'S WEEKLY POLITICAL REGISTER.

VOL. XVII. No. 23.] LONDON, SATURDAY, JUNE 9, 1810. [Price 1s.

" Sir; We feel great pleasure and satisfaction in conveying to you, in the name of the Gentlemen, " Clergy, Freeholders, Householders, and other Inhabitants of the County of Berks, in full County " assembled, their sentiments of gratitude and attachment for your generous exertions in defending the " cause of the poor, the helpless and the oppressed; for your unwearied endeavours in exposing and " attacking corruption and abuses in the Navy, the Army, and the State; for your unabated zeal upon " all occasions, in maintaining with firmness the Liberty, Property and Rights of the People, in opposi- " tion to the pernicious System which is undermining and destroying the Country; and, above all, for " your unremitted efforts to obtain a full, fair, free and equal Representation of the People in Parlia- " ment, which, more than any language in your Letter to your Constituents, the Electors of Westmin- " ster, have excited the acrimony of all those who, by participating in the misplaced millions of their " country, naturally rank you among their enemies. In you we have had an upright and honest man— " a firm, zealous and inflexible friend to our free Constitution, as by law established.—We are, Sir, with " the greatest respect and sincerity, your obliged, humble servants, &c."——ADDRESS OF THE COUNTY OF BERKS *to Sir Francis Burdett, passed at the County Meeting held at Reading, 5th June,* 1810.

SUMMARY OF POLITICS.

BERKSHIRE MEETING.——The account of the whole of the proceedings at this Meeting will be found in another part of this Number, and I hope, that no one of my readers will lay down the paper, 'till he has gone through every word of that account. —The *petitions*, which were agreed to, will be published either in this number or in the next; but, to judge of the sentiments of the county, we want nothing more than the *Address to Sir Francis Burdett*, which I have taken as a motto, and which does equal honour to the party addressing and the party addressed. —When Mr. Perceval and Mr. Canning and Sir Vicary Gibbs and Mr. Lethbridge and Sir Robert Salusbury were carrying on the work of getting Sir Francis into a prison, they did not, I imagine, anticipate that the consequence would be Addresses to him from Cities and Counties, carried up by Sheriffs, members of Parliament, and gentlemen of great property.——To be sure, a more severe mortification to them cannot well be conceived, than this Address from the County of Berks, moved by such a man as SIR JOHN THROGMORTON, and supported by other gentlemen so respectable in every point of view; and it is hard to conceive any thing more honourable, more encouraging, more *heart-cheering*, to Sir Francis Burdett himself. Here it is; it is in this way, and in this way alone, that he can receive his reward for so many years of anxious toil for the public good. ——*Now*, what will those persons say, who, just after he was lodged in the Tower, asserted, that " even his *friends* had disclaimed him?" What will be now said and thought by the mean and dastardly wretch, who, when he thought danger was approaching, was the first to give the signal of desertion? What is *now* become of all the predictions of the hireling prints, that nobody would any longer have the boldness to *defend* the conduct of Sir Francis? And what are we now to think of the judgment of Mr. Ponsonby, who said, that he did *not believe*, that the people of Westminster would, if the occasion were offered them, *re-elect* Sir Francis? Really, it does not appear, that Mr. Canning having withdrawn *his* "*good opinion*" from Sir Francis, has done the latter's character any harm. It has not ruined him in the opinion of the nation.——Those who thought that sending Sir Francis to the Tower would *sink* him in the eyes of the nation have now been proved to be *wise* men indeed. But, the "*gentlemen opposite*" must not pretend, that they had *no hand in the work*. They did not, indeed, vote for the Tower; but, they proposed a *reprimand*; and who is fool enough to suppose, that Sir Francis would have received that reprimand without such an answer as would have compelled the House to do *something further*; unless, indeed, they chose to submit to him upon the spot?——Therefore, it is all a mere pretence; it is an attempt at deception for the OUTS to say, that they had no hand in the Tower project. They most heartily lent their hands to prepare the way. They condemned, in language the most bitter, the Address of Sir Francis to his Constituents; they even censured the ministers for not being prompt enough in executing the warrant; and, when Sir Francis *was in the Tower*, they *boldly* come forward to " rally round *His*

"*Majesty's government,*" the persons composing which they had, only a few days before, denominated the *Demon of England;* Yea, verily, in opposition to the principles of Sir Francis Burdett, they were ready to rally round even "the Demon of Eng-"land!" Let them, therefore, hold their peace. Let them take their full share of the reproach tacitly passed upon the enemies of Sir Francis, in the Address of the county of Berks. The three persons, who distinguished themselves most in speaking against the principles of Sir Francis were Messrs. *Adam, Austruther* (late *Indian Judge*) and Ponsonby; and the second of them was one of the first to give the word for "rallying round His Majesty's govern-"ment," after Sir Francis was safely lodged in the Tower, and after the army and the cannons were arrived in town. Let us therefore hear no more from the OUTS in the way of censure on the INS for having sent Sir Francis to the Tower, and thereby roused the nation to resent his wrongs.——The notion was, that the committing of him to the Tower would *degrade* him. It was thought, that, though a few persons might be loud in their complaints, the nation in general would quietly acquiesce, seeing so large a majority in the House against him; and, that, as the world but too frequently think the worse of a man the moment he is within the walls of a prison, the measure would tend to *lower* the great object of their fear. This was the notion that prevailed amongst those, who were for sending Sir Francis to prison. How have they been deceived! What must their fears be *now!* They are fightly served. But, they have, as yet, experienced only a small part of their mortification.——It has generally been the case, that those who have been the means of doing their country great services have, at first, been objects of censure and abuse, on the part of those who were interested in the supporting of tyrannical measures. There was hardly a man, who largely contributed towards the putting down of the House of STUART, who was not at some time or other, in prison. But, the FIVE BISHOPS, who were arbitrarily committed to the very prison where Sir Francis now is, by JAMES II, lived to see that bigot, fool, and despot driven from his throne, in terror of the very troops, upon whom he had relied for the support of his despotic government; and, WILLIAM PENN, who was almost spitten upon by the bloody JEFFREYS, who sent him back to prison, though acquitted by a jury, lived to be the founder of the brightest Province in the world, lived to make laws for the government of a nation, while that bloody Jeffreys, though for a while successful and though loaded with riches and titles, ended his days a fugitive from the hands of justice, covered with the contempt, as he formerly had been with the curses, of the nation.* One would suppose, that examples of this being so numerous, and especially in our own history, would teach men in power to reflect well before they resorted to the use of that power for purposes like that now immediately before us. If, indeed, it could have been contrived to persuade the nation, that Sir Francis had really committed some *offence*, worthy of imprisonment, the imprisonment would have had great effect against him. But, this was impossible. Nobody could believe this; and, indeed, it was next to impossible, that the public in general should not, like the county of Berks, be convinced, that his having resolved to urge, with all his might, a Parliamentary Reform, was his great offence in the eyes of those who were the most bitter against him.——That this Meeting in Berkshire will lead to others there can be no doubt; but, as I observed, in a late Number, the people are so *kept asunder*, in the country, that their being slow to meet, upon any occasion is not wonderful. County-Meetings for Addresses of another description are as unerring as the Sun. The Secretary of the Treasury has nothing to do but to write a circular letter, and there assemble, in every county, some dozen and a half of placemen, tax-gatherers and dependent parsons, and the thing is done as quietly as the business of a meeting of Trustees to a Turnpike Road. There have been many a score of County-meetings without even the inhabitants of the towns,

* The Trial of PENN and MEAD, and that of BUSHELL, the Juryman, should be read by every Englishman, and he should make his sons read them, as soon as they are able to comprehend what they read.—— The conduct of these three men cannot fail to inspire, in every youth, useful emulation. The noble stand, which they made against the tyrants of their day, was founded, too, precisely upon those principles, for which the people of England, with Sir Francis Burdett at their head, are now contending.

where they were held, knowing what was going forward. And yet, such meetings as these are, by some, asserted to express *the sense of the country!*——One of the arguments, the other day, against *Reform*, was, that it was called for by nothing but a *low, degraded, impotent, contemptible crew.* Will those, who made use of that argument, repeat it? Will they stick to that doctrine to the upshot? Will they continue thus to abuse the nation? I rather think they will become a little more modest before it be long.——The petition, relative to Sir Francis Burdett and Mr. Gale Jones, agreed to at this Meeting, has, it appears from the reports in the news-papers, been *rejected* by the Honourable House! and, one of the reasons stated, is, that it accuses the House of having caused the *shedding of innocent blood.* Mr. Whitbread and Sir Samuel Romilly contended, that the accusation was to be applied to the *ministers* only, who had employed the *military force* in executing the orders of the House; and they, as well as some other members, strongly condemned the rejection of the petition.——Upon this occasion Mr. Yorke seems to have made his appearance again, and to have thrown the innocent blood *upon Sir Francis Burdett*, forgetting, doubtless, that this was attempted without success, the next day after Sir Francis was lodged in the Tower. ——As to the rejection of the petition, it is, however, a thing, in itself, of no consequence at all. The *Address* of the County of Berks, to Sir Francis Burdett, will be *received!* That is the thing of most consequence; and, indeed, since the Honourable House is apt to chafe and fret at the presenting of petitions of this sort, would it not be as well for other counties and public bodies to leave the Honourable House quietly to itself, and *content themselves with Addresses to Sir Francis*, or with remonstrances to him, if they should think his conduct wrong? At any rate, it appears to me, that a paper of some sort, addressed *to him*, should be signed at every meeting. He is now become the corner stone of the cause. This character has been forced upon him by his and the people's enemies; and, therefore, we must either stand by him, or give up the cause, the latter of which, I trust, we shall not do.

Rochester Meeting.——A very numerous and respectable Meeting has been held in the City of Rochester, and have unanimously agreed to petition the Honourable House to retrace its steps with respect to Mr. Gale Jones and Sir Francis Burdett, and to adopt measures for a Reform in the Representation of the people. At this Meeting, which, it would seem, the Mayor would not call, some excellent sentiments were expressed. Indeed, there is but one way of *thinking*, whatever there may be of talking, in the whole kingdom. That light, which, after long struggling against darkness, burst in upon the metropolis in February 1809, through the opening made by Mr. Wardle, has now reached even the most obscure and remote corners of the kingdom. Every soul understands the whole of the question of "*Privilege*" and of *Parliamentary Reform*. The history of the *Plymouth Tinman* and that of *the Seat-Seller* have been compared by every body. The thing is every where understood. There is no *new* information wanting; and, indeed, nothing is wanting but for the people to settle upon what is now the best way for them to ACT in order to obtain, legally and constitutionally, redress of their grievances.

Westminster Abhorrers.——In my last I noticed a long Declaration, which had been published, or, at least, drawn up by certain Abhorrers in Westminster; but, it was without any signatures.——Since that the following has appeared, and has been published in the news-papers, in an advertisement.——It seems to me to be, at once, the most foolish as well as the most wicked thing of the kind that ever was seen or heard of. This is, indeed, a pretty use to put *vestry-rooms* and *churches* to.——This Gerrard Andrewes, by whom the Declaration is signed, is one of those gentry who, about London, are called *Popular Preachers*, or *Gospel Ministers*.——His Advertisement is in the following words: ——"Parish of St. James, Westminster, "June 2, 1810.—At a Meeting of the "Rector, Vestrymen and Churchwardens, "of this Parish, duly assembled in Vestry "this day, it was moved, seconded and "unanimously resolved, That the under "written Declaration be signed by the "Vestrymen present, and that the same "shall afterwards lie in the Vestry Room "of this Parish Church, from twelve till "four o'clock each day (Sunday excepted) for the Signatures of such of the "Inhabitant Householders of this Parish "as may approve thereof,

"Gerrard Andrewes, Rector, Chairman.

"We, the undersigned, Members of "Vestry, and other resident Householders

" in the parish of St. James, within the " Liberty of Westminster, in the county " of Middlesex, feel that we should ma- " nifest an unbecoming supineness amidst " the *dangerous principles*, which are now " encouraged and propagated by *factious* " *individuals*, if we did not openly declare " in contradiction to those Principles, our " unshaken purpose to uphold the Consti- " tution, as by Law established.—At a " time, when a sanguinary and vindictive " enemy has subjugated nearly the whole " of Europe, and threatens to add this " happy Island to the number of his con- " quests, we cannot but think, that this of " all others is the moment to add strength " to the Empire by *promoting public union*. " As long as we continue firm and united " we must, under Providence, be invinci- " ble; for such is our insulated situation, " and such are our resources, that if ever " we are ruined, it will be *by civil division*; " by that *intestine strife, which preys upon* " *our vitals*, and withers the sinews of Go- " vernment.—Sensible too, as we deeply " are of the many invaluable blessings " we have so long enjoyed as a free " and independent people, we must ex- " press our abhorrence of those attempts, " which, by *calumniating the character,* " *and attacking the undoubted privileges* of " the House of Commons, have a direct " tendency, as it appears to us, to shake " the very foundations of civil liberty and " of social order.—We should be as eager " as any to resist the least encroachment " upon the Freedom of the subject; but " we cannot countenance opinions, which, " under the mask of Patriotism, must ine- " vitably *promote confusion, paralyze our ef-* " *forts* against the common enemy, and, " in all probability, ultimately subvert " that happy Constitution which has for " so many ages been the envy of Foreign " Nations, and the glory of our own.—Im- " pressed as we are with these sentiments, " we feel ourselves called upon to avow " them publicly at the present crisis; " under the conviction that nothing can so " effectually defeat and *crush the present* " *desperate faction*, as the undisguised de- " claration of all good subjects, that they " will support the Rights of Parliament, " and maintain the integrity and PU- " RITY of the Constitution."——Now, Mr. GERARD ANDREWES, Gospel Minister, what are these "dangerous principles," of which you are afraid, and which, as you so boldly assert, proceed from "*factious* "*individuals*?" In what do these principles appear? In our complaining that men have been *imprisoned during pleasure*, without oath made against them, without warrant from a sworn magistrate, and without it being intended ever to bring them before a jury? Is there any thing so very *dangerous* in this complaint? Is there any thing here so very dangerous to the constitution? Is there any thing in this, which only says that we wish men to be *tried before they are punished*; is there any thing in this, that shows that our principles are dangerous?——Aye; but we go further. So we do. We wish to put an effectual stop to the trafficking in Seats in Parliament; we wish to put an end to the drunkenness, lying, false-swearing and bribery, at Elections; and, pray, Mr. *Gospel Minister*, what very great *danger* do you see in that? You are, you tell your brother Abhorrers, for supporting the "*purity*" of the constitution; and, *against whom?* Against whom is it, *Gospel Minister*, that you would support this purity? Why, it is against those, who returned Sir Francis Burdett to parliament, without a farthing of expence on his part; against those who call for justice upon public-robbers; against those who complain that when two of the ministers, and privy counsellors were accused of trafficking in Seats, the House refused to enquire into the matter: it is, *Gospel Minister*, against such men, that you wish to support the *purity* of the constitution, and, knowing this, it is by no means difficult to guess at what *you* mean when you are talking of *purity*.——I tell thee what, *Gospel Minister*, we complain, besides, that we are, at this very moment, called upon to assist the "*poorer* clergy" with the sum of 100,000*l*. and that this is not the first time we have been so called upon, while the very minister, who demands the money, acknowledges, that *more than one half of thy brethren, the* BENEFICED *clergy, do not reside upon their livings, or do the duties attached to them*, though we know, that they could not hold livings without having solemnly declared, *that they felt themselves called by the Holy Ghost to take upon them the ministry of the Gospel*.——Ah! we are sad dogs, to complain of this, are we not? We must be bitter enemies to the integrity and "*purity*" of the constitution, must we not? We must be resolutely bent upon shaking the foundations of *civil liberty* and *social order*, must we not?—Oh! we are a sad "*desperate faction*," to expose as we did, the nakedness of brother *Bowles*

and brother *Beazely* and brother *O'Meara!* A sad factious crew to complain that brother BEAZELY (who, by the by, was a *Popular Preacher* too and a *Gospel Minister*) lay so snugly behind the church after offering a bribe of 3,000*l.* when the poor ignorant Tinman had been fined and imprisoned for offering a bribe of 2,000*l.* A sad desperate faction to laugh at the loyal John Bowles's accounts and computations. A sad desperate faction to expose the loyal Dr. O'Meara, who, *through the interest of a punk*, got permission to preach before royalty, and who took that occasion to *inveigh against factious principles.* We are even wicked enough to remember this conduct in Dr. O'Meara; and, when we hear any other loyal priest talking in the same strain, we take leave to entertain very serious doubts as to his sincerity. ——But it seems, you are afraid of Buonaparté, and think that in order to prevent him from adding England to the rest of his conquests, it is necessary "to "*promote public union,*" seeing that it is, in your opinion, only by "*civil division*" that we can be ruined. And so, you think, then, of course, that *the most likely way to promote public union is to get some, at least, of your parishioners to sign a Declaration against the rest,* to set some of them, at least, at variance with others of them; and, in order the more effectually to promote *union* and make it *durable*, you are for having the names of some of your parishioners written down in a book, where all the world may see them. In a word, in order to promote *public union*, you are for calling out one part of the people to "*defeat* and *crush*" another part of the people. This is your way, is it, of *promoting union?* Your way of promoting union, your way of preaching "*peace* and "*good will* amongst men;" your way of obeying the orders of your Master appears to be perfectly new. I mean your heavenly Master; for, as to the orders of your earthly master, you, no doubt, obey them in the common way. You must, doubtless, meet your flock with great satisfaction next Sunday, having laboured so hard during the week to draw forth one part of them "effectually to *de-* "*feat* and *crush* the other part!" But, *Gospel minister*, how do you manage it, supposing any of the "*desperate faction*" to be present? To call them your "*Dearly beloved Brethren*" would be rather inconsistent. ——It is useless to say any more upon such a subject. The *names*, however, may be of use; and, it is to be hoped, that the men, who may thus sign a paper, in which one part of the people are pretty plainly called upon to array themselves, in all manner of ways against the other part, will be remembered. This preacher of peace and good will amongst men leaves us not at all in doubt as to *his* principles and views. Rather than there should be a Reform, he would see the country torn to pieces. Verily *he* has his reasons. *He* is no fool. Those are the fools, who not having the reasons which he has, are induced to aid and assist in his undertaking. ——I should like to be able to ascertain what are this man's *real* opinions with regard to what he is pleased to call "a *desperate faction.*" Does he think, now, I wonder, that such men as *Sir John Throgmorton*, Mr. *Goodlake*, Mr. *Hallett*, Mr. *Marsh*, Mr. *Vines*, Dr. *Valpy* (for he is for *reform* too;) does he really believe, that these are persons in *desperate* circumstances, and that the whole body of yeomen of the county of Berks, are in similar circumstances? I should like to know what has really passed, in his head, upon this subject. I hear what he *says;* but I should like to know what he thinks. ——He is, I am told, *Dean of Canterbury.* How comes it, then, that the "desperate "faction" was suffered, the other day, to prevail in that city? It appears, that a decided majority of that city are for a reform of parliament, and against the imprisonment of the people of England without trial and without oath made against them. Why did not the Dean, who now talks of "a desperate faction," prevent that? Why did he not go and open his subscription book at Canterbury! ——But, I wonder whether it be *possible* for even this infatuated or enfuriated Gospel Minister to believe, that the part of the people, who call for Reform, is, "desperate," and so contemptible as to be "effectually *defeated* and *crushed*" by the means that he and others like him are putting in motion. If he really does believes this, he is too far gone to be reasoned with; otherwise I would ask him WHO it is that has written "BURDETT FOR EVER" upon every wall and paling, not only in and about this immense metropolis: but in every city, town, village, and hamlet in the kingdom. If this Gospel Minister, or that other man of the "Celestial Unction," brother O'Meara, will but take a trip into the country in any direction,

North, East, South, or West, they will find these words written upon every place which is conspicuous, and on which they can be written. Now, I would ask Messrs. Andrews, O'Meara, Bowles, or Beazley, *how* this can have been done by "a desperate faction," capable of being "effectually *defeated* and "*crushed*" by vestry associations. The *Devil*, they will say, is on our side; aye, but that will not do; for, in that case, the blame lies with them, whose peculiar office it is to fight with and keep down the Devil. Messrs. O'Meara, Bowles, and Beasley, should have kept the Devil in check. There was a French Abbé (whose name I have now forgotten), who, some years ago, made a very good thing of writing about the *Anti-Christian Conspiracy*. What if Gerard Andrewes were to apply the principles of that work to the present times, and make his political congregation believe, that such a conspiracy is now going on in England? In this way, he might account for the writing on the walls; but, even then, he must give up his assertion about the "faction" being "*desperate*." ——Even then, he must give up the notion of the "faction" being a thing to be "effectually *defeated* and *crushed*" by a vestry association.——The truth is, that the really "*desperate* faction" are those, who oppose all reform, and the most desperate of them are those, who are now calling forth these counter-associations. These are really desperate; for, generally speaking, reform would sink them into their merited insignificance. The far greater part of them it would strip of the riches, which they have plundered from the public. To all such there can be no doubt that reform would be ruin. They, *therefore, may well be thought desperate; and, indeed, is it not a proof of desperation, when we see a man, whose office it is to preach and inculcate Peace and Charity, coming forward, in the public prints, and, through the means of an advertisement, calling upon one part of the parishioners "effectually to defeat and crush the other part?"* If this indecent act be not a proof of *desperation*, what is?——Those, on the contrary, who are for reform, have about them none of the marks or motives of desperation. They have *estates* or *trades* or *talents* or *strength to labour*. They depend upon resources that are *their own*. What, then, should make *them* desperate? They feel their burdens, and they also feel the insults of such men as Mr. Gerard Andrewes; but, they have nothing *to gain* by reform, *which would not be common to all their countrymen*; while, on the other hand, there is no degree of *civil commotion* which must not be *injurious to them*.—— All this, however, the St. James's preacher of peace on earth, and good will towards men, knows, I dare say, full as well as any of us. But, as was before observed, he also knows, or fears, I imagine, that a reform in the House of Commons would not be favourable to *his* interests; and, if this be his opinion, it is not very unnatural in him to endeavour to cajole his parishioners into an association against reform, though it would be miserably foolish in them to be so cajoled. He must be aware of the *hatred* and *strife*, which his project, if successful, *must* create. This is what he cannot be ignorant of. He must be *certain*, that, in whatever degree his endeavours are attended with success, hatred and strife must be excited and kept up amongst his parishioners, to promote peace and harmony amongst whom is his bounden duty. Let the public judge, then, between him and those whom he has the insolence to denominate a "*desperate faction*."

NOTTINGHAM MEETING.——Here, too, I suppose, the Gospel Ministers will tell us that there was a "desperate faction." The Meeting, however, which took place on the 28th of May, appears to have been a most respectable one. As full an account as can possibly be got shall be inserted in the Register as soon as may be; but, I could not omit a notice of it this week, it is so honourable to all the parties concerned; and especially as it affords a proof (which I am well pleased to lay before my readers), that there are *Clergymen*, who, so far from acting the part of Gerard Andrews, have the virtue and courage to stand forward in defence of the rights and liberties of the people.—— The Petition to the Honourable House was, upon this occasion, *moved* by a Clergyman. The report of the Proceedings states, that "The REV. MR. GRUNDY ob- "served, that, at the request of several "Gentlemen, it fell to his lot to propose "and read the Petition to the House of "Commons, praying for a Reform in the "Representation of the People. His wor- "thy friend, Mr. Denison, who preceded "him, had used so many able, eloquent, "and powerful arguments in favour of the "measure, that it became unnecessary for "him to address the Meeting at much

" length. He should, however, advert to " one or two points, relative to John Gale " Jones, and Sir Francis Burdett. It has " been said, that the people have no right to " interfere, previous to the trial, which is " to confirm, or deny the legality of their " imprisonment. The House of Com- " mons establish their right on precedent " and privilege, but no precedent, or " usage, can empower them to do wrong; " no usage can make that right, which is " illegal. There is a tendency in all " public bodies to be corrupt, and there- " fore, they should be narrowly watched. " The question is now resolved into one " of two alternatives; either we are to " have Reform conceded to us, or not. " If Reform, then are our Representatives " deputies to do our business, and not im- " prison us; they are our servants, not " our masters. If they claim the privi- " lege of putting us in prison, I propose, " that they shall also *represent us there.* " (Laughter and Applause.) If the alter- " native be not Reform, the absolute ne- " cessity of Reform cannot be depicted " in too glowing colours."——He said much more; but here is quite enough to answer the "Gospel Minister;" here is quite enough to answer Gerard Andrewes and John Bowles and brother Beazley. Brother O'Meara would not have said so much, I dare say; but, perhaps, the public will be full as much inclined to repose confidence in Mr. GRUNDY as in the man of "Celestial Unction," whose "lips " were touched with the *live coal from the* " *altar,*" and who preached before royalty *against Jacobins,* having obtained permission so to do through the patronage of a punk, who was, at that same time, selling commissions in the army. Yes, the public will be, I imagine, full as much disposed to confide in the advice of Mr. Grundy as in that of any of these famous Anti-jacobins; these Abhorrers; these preachers of peace, who are using the most desperate efforts to set the people together by the ears.——This conduct of Mr. Grundy and of some other clergymen, particularly at Cambridge, where they contributed their full share to the defeat and disgrace of the Teller of the Exchequer, will, I trust, preserve the respect of the people towards the Clergy, in spite of efforts like those of Gerard Andrewes, to whom I would recommend the perusal of the following *Address to Sir Francis Burdett,* agreed upon at this most respectable meeting, and when he has perused it let him, once more, read over his own Advertisement, and blush at its contents.—— " In a period of general depravity and " corruption, when all classes are more or " less the slaves of licentiousness and vice, " and from some, virtue seems almost to " have taken her flight, when private in- " terest almost universally predominates " over the public good, it requires no " common degree of firmness and integrity " to stand forth, and oppose the impetuous " torrent. In such circumstances, the " man is rarely to be found, who can at " once resist the temptations of wealth " and power, despise the taunts and ridi- " cule of those, who have sacrificed con- " science at the shrine of interest, brave " the threats of those, who strive to crush " all opposition with the iron hand of " power, smile at the frown of adversity, " and remain undaunted at the sight of " the walls of a prison. But rare as is the " discovery, we are willing to hope and " believe, that the people of England have " found such a man in you.—In this dearth " of public virtue, labouring under re- " peated disappointments, though not yet " sunk into despair, we naturally become " cautious in giving full credit to any " man, until his integrity has been tried, " and we have reason to believe that his " private conduct corresponds with his " public professions. From what we have " been able to learn of your private life, " the duties of the several relations in " which you stand to society, whether as " landlord, husband, father, or friend, " have been properly fulfilled. With the " greater confidence, therefore, we have " looked for a faithful discharge of your " public duties, nor have our expectations " been hitherto disappointed. When by " what is generally deemed a trifling " sacrifice of principle, you might have " basked in the sun-shine of prosperity, " you have chosen to weather the storms " of adversity, folded in the mantle of in- " tegrity.—At one time the object of ge- " neral odium, insulted by an infatuated " and misguided people, you shrunk not " from the field of duty to seek popular " applause. But at length, in a great " measure through your instrumentality, " the eyes of the people are opened, their " burdens have made them feel, and their " feelings have enlightened their under- " standings. They now see their real " friends, and are ready to offer their tri- " bute of gratitude to you. For your re- " cent conduct, for your firm stand in de-

" fence of the Liberties and Rights of Bri-
" tons accept our unqualified thanks. But
" gratifying as the expression of the appro-
" bation of your fellow-subjects must neces-
" sarily be to your feelings, we trust that
" you possess a much higher source of gra-
" tification in the approbation of your own
" conscience. Go on, Sir, in your honour-
" able career. No effort is lost. Let us
" not in this instance suffer disappoint-
" ment. So shall the virtuous part of
" your fellow-subjects revere and love
" you, and the blessing of him, that was
" ready to perish, shall come upon you."
——The *Mayor* of Nottingham called this Meeting; he gave his approbation of its object; an *Alderman* presided as chairman; the petition was proposed by a *Clergyman:* and yet, perhaps, Gerard will have the insolence to tell us, that this Meeting was made up of men belonging to " a *desperate faction.*" —— One cannot read these Addresses without looking back, at every step, to the debates upon the subject of the commitment to the Tower, MR. WILBERFORCE, who, be it borne in mind, was for *reprimanding* Sir Francis, said, that if sent to the Tower, he would be *issuing his inflammatory letters thence;* and so said MR. PONSONBY. How much deceived they were! What? Did they imagine, then, that he was going to a sort of state that would dispose his mind to weeping, wailing, and gnashing of teeth? The situation of Sir Francis is not calculated to excite *angry* and *uneasy* feelings. Little did Messrs. Wilberforce and Ponsonby imagine, that his time would be *so much taken up with the receiving and the answering of Addresses!* Little, alas! did they imagine this, when they talked of his *issuing of his publications from the Tower!* Little did Mr. Wilberforce imagine, that *he himself would be requested to assist at the carrying up of an Address* to the man, whom he voted for *reprimanding;* but, this is, I understand, very likely to be the case. —— Aye, in spite of Gerard Andrewes and John Bowles, and such like people, the cause of Reform will triumph. There is nothing but *precipitancy* on the part of its advocates that can defeat their views. I, therefore, conclude here, as I have done upon so many former occasions, admonishing the friends of Reform to avoid *haste* as they would avoid destruction; to be cool and considerate in all their proceedings; and never to suffer themselves to be hurried into resentful acts, into acts of violence of any sort, by the malice and calumnies of their foes. I trust, that no attempt will be made to form any CLUBS or ASSOCIATIONS, which, though their object might be good, would be sure to afford a handle for misrepresentation. Let all be *open;* all *public;* all in a legal and constitutional way, in form as well as in substance; and, if, in the end *violence,* of whatever sort it may be, does come, let it, for God's sake, come from our enemies, who are also the greatest enemies of the kingly government and of the family upon the throne.

N. B. I did intend to insert an article upon the nefarious attempt to assassinate the DUKE OF CUMBERLAND; and also upon the fearful prospect of the WHEAT-CROP, which, unless timely precautions be taken, will, in my opinion, expose the country to most awful calamities; but, as I wish to do justice to both subjects, I must postpone them till next week.——I cannot, however, help observing, with respect to the latter, that I hope the ministers will, *in time,* take care to *secure* supplies of wheat from the Continent of Europe, and *to keep it in hand till winter;* for, from very extensive information, I give it as my decided opinion, that NOT ONE HALF SO MUCH WHEAT WILL BE GROWN THIS YEAR AS WAS GROWN LAST YEAR; and, it is well known, that last year's was a short crop. I am of opinion, that *one eighth* part, or thereabouts, of all the wheat land is actually *ploughed up;* and that not more than *half* or, at most, *two thirds* of *the ground is covered of that which is not ploughed up.*——Such being the prospect, every thing should be done, that can be done, to secure a supply of wheat from the continent of Europe; and the sooner it is set about the better.

WM. COBBETT.

London, 8th June, 1810.

RESOLUTIONS, PETITIONS, REMONSTRANCES, *&c. on the* LIBERTY OF THE SUBJECT *and* PARLIAMENTARY REFORM, 1810.

BERKSHIRE MEETING.

On Tuesday the 5th inst. a most numerous and respectable Meeting of the Freeholders of the county of Berks was held at the Town Hall in Reading, Peter Green, esq. the High-Sheriff of the County, in the Chair, who addressed the Meeting, and requested of them to consider their own dignity, by giving every Gentleman, however his opinions might happen to differ from their own, a fair and equal hearing.

Sir JOHN THROGMORTON then came forward and addressed the Meeting. He began by observing, that the circumstances mentioned in the requisition of the imprisonment of Mr. Jones and sir F. Burdett, were fresh in the recollection of all who heard him. Mr. G. Jones had been imprisoned, because that in exercising the right of discussing the conduct of our Representatives, he had reflected upon the conduct not of the House of Commons, but of a member in that House. Mr. Jones had had the boldness to disapprove of Mr. Yorke's shutting the gallery; and because he had ventured to object to the conduct of one of their members, the House of Commons had sent him to Newgate. The question arising out of this was of no small moment; it was, whether privilege, as it was called, was not only power, but a power above, beyond, and contrary to the known law of the land; for if any tribunal whatever really possessed the mysterious and indefinite power of sending whom they pleased, and for what offence they pleased, to imprisonment without trial—if there was in England such a power, then he had no hesitation in saying, that there was an end to the liberties of the country—(applauses). But by what analogy could such a power be said to exist?—Go to the highest authorities in the realm, examine the nature of their proceedings, and where would they find any thing like the assumption of such a power? Where would they find any thing so arbitrary, so opposite to the true spirit of the constitution, as condemnation without trial, and punishment without conviction? (applauses.) If the House of Commons had been libelled, the law gave them their remedy; in every other case of alledged libel the accused was not hurried to immediate punishment because his accuser said that it was a libel (applauses); in every other case of offence imputed to an English subject, punishment did not go hand in hand with the accusation—it did not go before the conviction of crime, but followed it (applauses.) But it had been contended, that those privileges were for the protection of the people; this might be a true position, and if so, it would be rather difficult to persuade the people that the privilege of imprisoning them at discretion was all the time a privilege for the benefit of the people (laughter and applause.) But these privileges must operate either against the people or against the crown; they had proofs how effectually they could be brought to bear against the people, but what were they against the crown? Nothing.—Suppose that the House of Commons and the crown happened unfortunately to be at variance, this he admitted to be a most improbable supposition, but in such a case he contended, that the House would have no power to imprison; suppose the person ordered into custody should in such circumstances resist, the Speaker and Serjeant might go and endeavour to execute the warrant, but would one single constable stir in obedience to it? Was it likely that the King would, in the case he had supposed, call out his constables, his magistrates, his army, to act against himself.—(Applauses.) The House of Commons could never carry their warrant into effect in case of resistance, but by the aid of the King; so that their boasted privilege, that existed but for the benefit of the people, was against the people a formidable, because undefined power, but against the crown was a mere dead letter. (Applauses.) But how had the House acted since the late instances of exercising this extraordinary power? Had they not ever since proceeded in such a manner as proved that they themselves entertained serious doubts of the legality of what they had done. Debates after debates upon the question, whether they were justified in the measures they had previously adopted? They act first, and deliberate afterwards; they first exercise a most extraordinary power, and then they fall to debate, whether they were warranted in the exercise of it.—(Applauses.) How anxious have they been ever since that period in the hunt of old precedents to justify their looking in every quarter, even ransacking the drawers of dead Judges of private opinions that never were given in judgment; and after all their researches—after all their high language of being above, or independent of every other Court, we found their Speaker pleading at the bar of one of those very Courts, of which they affect to be so independent. But the truth was, that these inconsistencies were of themselves a proof that the House was in error, since such were uniformly the consequence of error accompanied by a blind obstinacy to continue in it. He trusted, however, that the effect produced upon the public mind by the conduct of the present House of Commons, would operate as a salutary lesson to every future one, and make them more cautious how they commit themselves in an unnatural con-

test with their Constituents. (Applauses.) He would there beg leave to say one word upon the subject of the Counter Declarations. He should not now comment upon what proportion those Counter-resolutionists bore to the general sense of the different places where they had appeared; he had understood there had been even a Counter Declaration to a vestry-meeting in St. George's Parish, (Laughter.) This, however, he would say, that he had observed with pleasure, that however those Counter Declarations differed from them upon other subjects, they all agreed as to the absolute necessity of some Reform in the state of the Representation. (Applauses.) He was sorry, however, to see that some of them went so far as to impute improper motives to those who differed with them upon other points—this they had no right to do; they had said that those who differed from them wished to bring the House of Commons into contempt. Such had never been his wish; he thought an House of Commons a most efficient branch of the Legislature, and the best and firmest bulwark of the liberties of the people. He should always wish to see the people looking to it with unabated confidence, as the honest and zealous guardian of their rights and property. The sentiment he felt towards the House of Commons was rather one of regret than of contempt. He felt upon their recent conduct as he would have done upon the defection of a friend whom he had long trusted—as a child would at the unjustifiable rigour of a parent (Applauses.) The House had treated them ill; they did not despise them for having done so, but they could not help regretting it. But this objection could be easily answered. If the House of Commons did its duty—if they proved themselves the vigilant guardians of the public purse—the unwearied prosecutor of all public abuses; the relentless foe of all public peculators, be their rank or connexions what they might; if they shewed themselves at all times eager to detect and punish every attempt to barter their Representation; if they did all this, it would be a vain attempt, to try to bring them into contempt, for it would be impossible to do so (Loud applauses.) But, as they now stood, could their warmest advocate say that they expressed the sense of the people? Did they express that sense when they refused to proceed against Lord Castlereagh, for attempting to barter a seat in their House for a writership? (Cries of No, no.) Did they express the sense of the people when, upon a subsequent charge of selling Seats in that House, they vindicated themselves by the defence, that such a practice was "as notorious as the sun at noon day?" Did they express the sense of the people when they acquitted the then Commander in Chief of all knowledge of, or connivance at, certain corrupt practices which were proved beyond a doubt at their bar? (applauses)—or, to give but one instance more, did they express the sense of the people when they refused to censure the Ministers who had sent out our armies to perish in Walcheren, but had even the boldness to approve of their conduct? No, they not only in such instances did not express the sense of the people, but the very opposite of that sense. And to what other source was this wide difference between the people and their representatives to be traced but to that of the faulty state of the Representation? (Applauses.) Indeed, it could not be otherwise, when it was known, that a great majority of that House was returned to Parliament by a one hundred and seventieth part of the male population paying taxes; that 84 individuals sent 157 members to that House; and that 150 more were sent by the nomination of 70 powerful individuals, so that 154 patrons sent a decided majority to that Honourable House. Such circumstances must indeed have the effect of making them an easy prey to the artful, and a ready purchase for the wealthy. A Reform, a moderate Reform, brought about by temperate and constitutional means, must be the object of every rational man who loved the Constitution. He wished for nothing rash: nothing intemperate; and those Counter-resolutionists had no right to impute as the motives that actuated his conduct, objects which, of all others, he was the most anxious to defeat. So far was he from promoting popular outrage, that he should take the most effectual means to defeat it; and when the people demanded what they had a right to, he thought that the best means to prevent commotion, was to concede to them what they so justly demanded.—Could that House of Commons be radically right, that for so long a time spoke a language directly opposite to the real sentiments of the people? He knew that the House of Commons had been, till lately, the organ of the real sentiments of the people, but no one could deny that they had not been so, at least for the last two years—no man would have the confidence to say that they spoke the senti-

ments of their constituents on the subject of the Duke of York's Inquiry; on the charge of the sale of seats; or on the acquittal of Ministers in the conduct of the Walcheren expedition; or, rather, what honest man was there who could deny that they had, as he had already said, spoke a language contrary to the real sentiments of the people? He therefore would propose to them a Petition to the House of Commons, in favour of Reform; it was not his intention to dictate to the House, the manner of Reform. The first thing was to get them so far to open their eyes to the real interest of the country, as to acknowledge the necessity of it. But he would, however, venture to give it as his opinion, that certain boroughs ought to be abolished, and that Parliaments ought to be triennial. This opinion was warranted by the best times of their history, the reigns of Queen Anne and William the third were proverbially glorious, and throughout those reigns England had none but Triennial Parliaments. At the same time he deferred in this point to the superior wisdom of the Legislature. He then repeated his sense of the necessity of temperance and moderation in their pursuit of the constitutional objects they had in view; their cause was too good to be injured by any thing but violence. He therefore besought them to avoid giving the enemies of the Constitution the least pretence for objecting to their zealous efforts in behalf of the Constitution, charges of tumult and disorder (applauses.) The Hon. Bart. then concluded with moving that the Petition which he held in his hand to the House of Commons, should be read. It was read accordingly, and after referring to a similar petition presented to the House on the 6th of May, 1793, and contrasting a resolution of the House entered upon their Journals in 1779, which stated that it was "highly criminal for any Minister or Ministers, or any servant of the Crown, directly or indirectly, to make use of the power of his office in order to influence the election of Members of Parliament, and that every attempt to exercise that influence was an attack upon the dignity, honour, and independence of that House." After contrasting the above resolution of 1779 with the subsequent resolution of the House last year on the charges preferred against Lord Castlereagh and Mr. Perceval, the Petition proceeded to pray for a Parliamentary Reform. There was another Petition read afterwards, praying the discharge of Sir Francis Burdett and Mr. John Gale Jones, and that the proceedings respecting them be expunged from the Journals of the House.

Mr. GOODLAKE rose to second the motion. It was altogether unnecessary for him to add one word in confirmation of the most able and constitutional speech which they had just heard (applauses). He merely rose to state, that in every sentiment that fell from the Worthy Baronet, he had his full and entire concurrence. He agreed with him fully, that with respect to the question of Privilege, as stated by him, if such a vague and indefinite power did exist, there was an end to the liberties of the country (applauses). If the rights of the subject could be met and defeated, by a power that nobody understood and every one must implicitly obey, he repeated that there was an end to the liberty of the subject. This privilege, it seemed, was a mysterious something that nobody could define, and yet nobody was to dare to dispute. With respect to the question of reform, he agreed equally with the worthy Baronet upon this head as upon the other—that state of Representation could not be right, when such a County as the County of Berks returned no more Members than the Borough of Old Sarum. (Applauses.) As to the Counter-resolutionists they might defy them, and the whole tribe of Abhorrers and Alarmists. By a steady, but peaceable perseverance in the cause of Reform, they who sought to restore the Constitution to its original strength and health, were better friends to it than those who would connive at that corruption, that must ultimately destroy it. (Loud and continued applauses.) He concluded by exhorting the Meeting to prove, by their peaceable demeanour, a temper worthy of the great cause in which they were embarked. (Applauses.)

Mr. GOLDING then rose. He expressed his reluctance to obtrude himself on their notice, but he felt it his duty on the present occasion, to state his grounds of objection to their present proceedings. He was first of all dissatisfied with the manner in which the Meeting had been called. The term inhabitants had been unnecessarily introduced. He did not object to that term, from any want of respect to the general inhabitants of the county; but after they had mentioned the Clergy, Gentry, and Freeholders of the county, what could they mean by the inhabitants, except such as were entitled to no voice;

such as had not even a house over their heads. The Clergy and Freeholders were all that were accustomed to vote on such occasions, and why invite the inhabitants under so vague a denomination? On the same principle they might call on all the paupers in the county to attend. He meant no disrespect to the lowest man in the county; he spoke only with respect to the principle, and no man would contend that every inhabitant was to have a voice at a County Meeting. The grand object for which they had met he conceived to be twofold, the imprisonment of Sir F. Burdett and John Gale Jones, by the Legislature. He complimented the worthy Baronet on the constitutional speech he had made, which must, in his opinion, be approved by every friend of the King, the Commons, and the Country. —The worthy Baronet, however, had said, that no man would come forward to oppose openly and honestly the measures proposed, but those who did not approve, withdrew into corners and vestries to give room for the expression of their sentiments. It might be so that some might deliver their opinions in vestries, and he saw no more harm in this than in delivering their opinions in council chambers, (which, he believed, had been the case in this county). (A partial laugh). The great reason of his presenting himself to the meeting on this occasion, was to shew that he could openly avow his opinion, and that he was not disposed to skulk into any corner, in the honest and candid declaration of his sentiments. He was happy to hear the sentiments avowed by the letter of their worthy representative, Mr. C. Dundas, because they would be the best argument he could offer in favour of his own. That hon. gent. had declined giving any opinion on the subject of Sir Francis Burdett's imprisonment, as the affair was now pending before a legal tribunal. This was precisely his own objection to any interference on the subject. The question was still at issue, and it did not become them to anticipate the decision of the law. But were they to anticipate the question, he would ask if the Legislature of the country was to be insulted at pleasure, without having any means of redress, except appealing to a Court of Law, to an inferior Court? You say otherwise there would be an end to our liberties; but I say that there would thus be an end to all order and legislation. The House of Commons ought to have the power of supporting its own dignity, without resorting to any other Court. Whether they legally have that power or not is now a question before another Court, and now waits a decision. He would say, however, that if they have it not, they ought to have it. Reform was the second part of the question now before them, and on this subject he would not altogether deny the grounds of complaint that were made. That there was improper influence in the House of Commons, he readily allowed [Applauses]; but who were to blame for this? It was the people themselves. The means of Reform were in their own hand [No, No]. Why did they send such men to Parliament? [The People do not send them.] He had no objection that there should be more voters than there now were; but against universal suffrage, if they meant that, he must enter his decided protest. In adverting to the rotten boroughs, he contended, that the man who paid 4 or 5,000*l.* for his seat was as likely to do his duty as the man that came in by flattering the people [Murmurs] and by means of bribing [some expressions of applause]. He allowed that men holding *pensions, places, and sinecure offices, ought not to have a vote in the House of Commons;* but it was necessary, he contended, that placemen should be there, and though he might refuse such men a vote, he would not have them excluded from the House.—(Considerable applause.)—He would not give his assent to the first Petition that had been proposed, because the measure, he thought, was premature. There was a doubt on the subject between the first law authorities, and why should they take on themselves to decide the question?—When Lawyers disagreed, was it for them to step forward and decide the question? He admitted the overwhelming power of Ministers to carry any question to be an evil, but this evil did not arise, he contended, from the mode of representation, but from the influence that Ministers naturally had from the situations they occupied.

Mr. HALLETT said, that the subject having already been before them, twice at Abingdon and here, and he having on those occasions expressed his sentiments, he did not think it necessary to detain them long by any thing he could now offer; the worthy Gentleman had said, that they were wrong in calling the inhabitants; but such he thought was the important question, that every man who paid taxes had a right to express his opinion and to be heard. [Mr. Golding here

explained; he said, he did not complain of people being called who paid taxes, but of the people being invited who paid no taxes, as was actually the case by inviting all the inhabitants, which he had argued was unconstitutional.]

Mr. HALLETT continuing, observed, that the worthy Gentleman had admitted that all those paying taxes ought to have a voice, and he would ask, where is the person that does not pay taxes?—(A laugh and applause.) I am sure, if there are any such in this Hall, they will have no objection to withdraw. The Gentleman has stated, that the question of privilege is now before a Court of Law, and we have nothing to do with it. Were they to be deprived of their personal liberty without inquiry? Were they to be deprived of the right of Trial by Jury without opening their mouths against it (loud applause.) Was the present a time to deprive the people of their rights when so formidable an enemy had over-run the whole of Europe, not more by his arms than the corruptions and oppressions of the Governments he had subdued? (Applause.) That the House of Commons had a right to some degree of privilege he would admit; that they had a right to remove all obstructions to their proceedings was undoubted, but this privilege was never intended to be given them for the indulgence of spleen and passion. They were the same as a Magistrate in similar cases. Suppose I am a Magistrate and meet with any obstruction in the regular exercise of my duty, I would certainly issue out a warrant and imprison, but I would admit the party to bail, that he might be legally tried. It was a first principle that no man ought to be judge in his own cause. The House of Commons had acted precipitately, and so much was he persuaded of this, that he had no doubt, were it to be done again, many of them would vote otherwise than they had at first done. To make any law binding on the subject, the whole of the Legislature was necessary—the King, Lords, and Commons; but here the House of Commons came forward to make a law for themselves. They claimed a privilege which they admitted to be undefined, and still more, which they said was undefinable.—(A laugh.) This privilege they exercised against the people, who, properly speaking, were themselves. Instead of claiming it as a means of resisting the Crown, they claimed it against the people. The King might as well employ an armed force to take Windsor, his own property, as the House of Commons declare war against the people (Applause.) He was persuaded the King did not know what was preparing. There were people who employed the King's name without having his sanction. The avenues to the Throne were shut by Ministers. The Petition of the City of London was not permitted to be presented to his Majesty, because it was alledged he was blind. But did it follow because he was blind that he was deaf also? Might not the petition have been read to him? But this would have been too much. How was it to be expected that persons would read to him their own condemnation—that those who wished to preserve his Royal ear would read to him facts against themselves that he might not have heard? Expecting such a service as this, from Ministers, would be like requesting a man who had a blind master, to read to that master an unfavourable description of his character, at the moment he was expecting a new place, or some increase of wages for his faithful services (a laugh.) He believed the House of Commons had already too many privileges, without claiming any other. They had the high and dignified privilege of not paying their debts and of cheating their honest creditors. That they might be free to discharge their Parliamentary duty, and to give their votes in the House on any occasion, he would admit that such a privilege might be necessary during the Session of Parliament, but surely there could be no occasion for the extension of such a privilege beyond the Session, unless for the precise purpose of defrauding their creditors. Why were they not to be seized, like any other men, as soon as the Session was over? Their imprisonment during the recess could not prevent their voting, and therefore their boasted privilege could be looked only as the means of defrauding some honest industrious creditor (Loud applause.) They claimed privileges of such high and political importance, that no country could be safe to grant them. They wished to be set above the law, while the people, at the same time, were not to be informed of the extent of their claims. Had Sir Francis Burdett shot the Serjeant at Arms when breaking into his house, and consequently been called before a Criminal Court to answer for the murder; and had Lord Ellenborough, or any other Judge said, that the Jury were to decide on the murder, but not to enquire

whether the breaking open of the house was right or wrong, as that was a case they could not decide on by law, being connected with the privileges of the House of Commons; what would a Jury in this case have done? He could not answer for others, but had he himself been one of the Jury on such an occasion, he would have told him that they must take the fact into consideration. They did not know all the law books that had been written, but they knew Magna Charta. He deprecated the reflections and language that had been thrown out against persons advocating the cause of reform.—He took his information from the newspapers only; and judging from them, it appeared that persons asking for reform, were a weak, despicable crew, in the language of Mr. Canning, "too weak to be feared, and too contemptible to be dangerous."—He did not wish to wage a war of recrimination, but he had not taken up the first stone. He would ask Mr. Canning what were the men he had associated with, and what company he had kept? Among the first, they found Lord Melville; then John Bowles; then Mr. Villiers, a very loyal man no doubt; and then Mr. Hunt, who had fled the kingdom, after plundering the Public Treasury. Such were the crew that Mr. Canning had associated with, and whose robberies, Mr. Perceval was so delicate as to call a *misapplication* of the public money. What were they to think of this mild and softened term? If any man had a servant who ran away with his treasure, would he call that a misapplication of his money instead of a robbery? What would they think of a person coming to that bar, which was a Court of Justice, accused of having picked his neighbour's pocket, who should say that he had only misapplied a little of his neighbour's money: people might employ what means they pleased, but for his own part he would declare eternal war against such misappliers. They say we wish to degrade all public men, but what motive can I have for doing so? I have no room to be dissatisfied; I want nothing. The truth is, they degrade themselves by their conduct. We shall willingly, however, forget the past, if they will now raise themselves and pursue a line of conduct that will entitle them to the public esteem. His dislike to many public men was, that their professions out of office were so different from their practice when in office. Mr. Bankes, in the House of Commons, had admitted that the influence of the Crown had very much increased, and yet did not wish to deprive the Crown of any of its present advantages. I do not wish either, Sir, to deprive the Crown of any of its advantages, but I do not wish to see a privilege arrogated by the House of Commons that may become an instrument in the hands of any corrupt or profligate Minister to oppress the people. He believed Sir F. Burdett to be a very worthy and indeed exemplary man, and his whole political life had hitherto shewn him so. He had been accused of wishing the cursed leaves to be torn out of the Red Book, as if he wished to destroy the King and our Constitution, the army and navy, and the whole establishment. But this by no means followed. There were some useful leaves in the Red Book, which no man would wish to have torn out, but there were also, it must be admitted, cursed leaves in that book. [He had one in his pocket, which he here produced.] I will shew you one cursed leaf. Here is one in which we have Mr. Hunt receiving so much of the public money, not for duties performed, but to give him an opportunity of plundering the public. This is no new opinion. It was said before, by Mr. Burke and Mr. Dunning, who had complained of the increase of the Red Book, and the consequent increase of the influence of the Crown. He here exhibited, as a proof of this assertion, three different Red Books, during a period of fifty years. The first contained only 155 pages, the second 272, and pages, too, of a large magnitude; while the third, that of 1810, contained 395 pages, which was, during fifty years, an increase of 240 pages, besides a large appendix that had been published this year, though not by public authority, and which contained as many pages itself as the original Red Book. He did not mean, by speaking in this way, to condemn all the leaves in the Red Book, but amid so great and rapid an increase, how many cursed leaves must there be, and on a review of the book, who could not point out some leaf, nay, many leaves of this description? —Had the people been properly represented, such leaves, he was confident, would never have existed.—With respect to Parliamentary Reform, who could deny its necessity, when they saw to what purposes a seat in the House of Commons was applied? Every man in Parliament who had a son in the navy must have a ship for him, and this was only to be had by voting with the Minis-

ter. The system was bad, and what therefore were they to expect from individuals who went into Parliament under the influence of such a system. The decayed boroughs were considered as so much personal property, and it was contended, that if abolished, they ought to be paid for. Of two evils he should certainly choose the least, and would therefore rather pay for them, at the same time, at the public expence, than not have them abolished; but at the same time, as the possession was illegal and unconstitutional, he saw no reason for any compensation. A man living on the coast, where smuggling had formerly been carried on, to a considerable amount, might as well plead for compensation, now that smuggling was more strictly prevented. In the Borough of Reading, it was true, that no person could dictate to them, but in those rotten Boroughs the proprietor could send up whom he pleased, even Mr Charles Yorke, who would get admission no where else. (Loud Applause.)

Dr. Valpy then addressed the Meeting. He proposed in the Meeting the necessity of hearing every man, and was afraid that the proposition he meant to submit might not meet with universal approbation. Nothing, however, could deter him from declaring his sentiments. They might hiss him, but he hoped they would hear him. The first petition, as it now stood, he could not sign, and had refused to do so at a Meeting of the Borough. He admitted that the House might not be warranted in the commitment of Gale Jones, but his opinion was very different with respect to Sir F. Burdett. The House, he contended, had a power over its own Members, and therefore he trusted, as an amendment, that the name of Sir F. Burdett be left out of the Petition, in as many places as that name occurs. He condemned Sir F. Burdett, and some of his friends, for shewing so much indifference respecting persons in power. This he did the more, as every day of the present Administration was adding calamity to the country.—What were they to expect from men who had professedly come into power on so unchristian and uncharitable principles, depriving one-fourth of their fellow-citizens of their civil rights, on account of their religion. He never thought with such an unauspicious commencement, that they could or would come to good. He then went into a history of their administration, and of the conduct of their late campaigns, which entailed so much misery and disgrace on the country. He confessed that it was his wish to see lord Grenville, lord Grey, and such men as them in power, from whose talents and well known principles some good might be expected. He concluded by repeating his amendment, and was listened to through the whole of his speech with the greatest attention, though not always approved. He had been used to be against Parliamentary Reform, but the experience of the last few years had taught him the necessity of it. It was not so much Reform they wanted as *Restoration.*

A Gentleman, whose name we did not learn, urged strongly the necessity of unanimity as the best defence they could offer against their implacable enemy. It was on this ground that he wished to see a Reform in Parliament, and that he should give his support to both of the petitions. Buonaparté was a formidable enemy, but domestic corruption was still more so. With respect to lord Grenville and his friends, he did not see that they did any thing when formerly in power, except raise the income tax. (Applause.)

Mr. H. Marsh supported the two Petitions, and the object for which the Meeting had been called. He denied that the people had the power of correcting a corrupt House of Commons in their own hands, when it was considered what a small number of electors there were compared with the great body of the people, and how great a number were returned by interests quite different from those of the people. He was glad that gentlemen had been patiently heard on both sides, and thought the Meeting indebted to the worthy gentleman (Mr. Golding) who had stood forward in so open and manly a manner to declare his sentiments. He believed if the great body of the people had it every where in their power to vote in elections, they would be found uniformly to act as the people of Cambridge lately had done.

Sir J. Throgmorton opposed the amendment (Dr. Valpy's), as the House, he conceived, had no controul over its Members acting out of the House, except to expel them.

Mr. Bicheno supported the Petitions.

Mr. Vines observed, that it would be more dangerous to give the House an unbounded controul over its own Members, than over any other class of people, as the majority of the House, in that case, might

always imprison the minority, so that all opposition might be ever legally suppressed. (Applauses.)

Mr. Watts seconded Dr. Valpy's amendment, to leave out the name of Sir F. Burdett (No, no!) Every man, he contended, ought to be subject to the rules of the society of which he is a member.

Sir Moses Ximenes expressed himself decidedly against the Petitions, but having been for three hours buffeted and pushed about in the crowd, he felt himself too exhausted to address them at length. As the worthy knight was a Declarator, as they called him, some symptoms of disapprobation were shewn, but, on the whole, the Meeting were disposed to hear him.

The High Sheriff then put the question on the Amendment, which was negatived with the exception of five or six hands held up in its favour.

The Petition for the liberation of Mr. Gale Jones and Sir Francis Burdett was then carried amid loud bursts of applause; about ten or twelve hands were held up against it. The Petition for Reform, on the question being put, was also carried in the same manner; three or four hands were held up against it.

Sir John Throgmorton then stepped forward and proposed the following Resolution, which was carried amidst bursts of applause.

"Resolved, That the Petitions now read be adopted, and signed by the High Sheriff in the name of the County, and delivered to the Members for this County, George Vansittart and Charles Dundas, Esqrs. who are requested to present the same to the House of Commons, and are hereby instructed to support the same therein."

He then proposed the following Address to Sir F. Burdett, which was read by the Deputy Sheriff.

"*Reading, June 5*, 1810.

"Sir; We feel great pleasure and satisfaction in conveying to you in the name of the Gentlemen, Clergy, Freeholders, Householders, and other Inhabitants of the County of Berks, in full County assembled, their sentiments of gratitude and attachment for your generous exertions in defending the cause of the poor, the helpless, and the oppressed; for your unwearied endeavours in exposing and attacking Corruption and Abuses in the Navy, the Army, and the State; for your unabated zeal upon all occasions, in maintaining with firmness the Liberty, Property, and Rights of the People, in opposition to the pernicious system which is undermining and destroying the Country; and, above all, for your unremitted efforts to obtain a full, fair, free and equal Representation of the People in Parliament; which, more than any language in your Letter to your Constituents, the Electors of Westminster, have excited the acrimony of all those who, by participating in the misplaced millions of their country, naturally rank you among their enemies. In you we have had an upright and an honest man—a firm, zealous, and inflexible friend to our free Constitution as by law established. We are, Sir, with the greatest respect and sincerity, your obliged humble servants, &c."

Sir John then moved the following Resolution, which was unanimously carried.

"Resolved, That the Letter now read, addressed to Sir F. Burdett, Bart. be adopted; that it be signed by the High-Sheriff in the name of the Meeting, and that the High-Sheriff, the Members, and as many Gentlemen as think proper, be requested to wait upon and present the same to Sir F. Burdett, together with a copy of these Resolutions."

He concluded by moving: "Resolved, That these Resolutions be inserted in the Reading, Salisbury, and Oxford papers; and in the following London papers, The Morning Herald, The Morning Chronicle, The Alfred, The Star, and The Statesman." Dr. Valpy moved the Thanks of the Meeting to the High-Sheriff, which was carried by acclamation. The Thanks of the Meeting were also voted to Sir John Throgmorton and Mr. Goodlake, for the able assistance they had given on the occasion.—We have seldom seen a public meeting conducted with more good-humour and decorum, or in which more indulgence was given to a small minority. In no instance was party feeling permitted to violate personal respect. The High-Sheriff dissolved the Meeting about five o'clock, having continued nearly four hours.

Published by R. BAGSHAW, Brydges-Street, Covent-Garden:—Sold also by J. BUDD, Pall-Mall, LONDON.—Printed by T. C. Hansard, Peterborough-Court, Fleet-Street.

COBBETT'S WEEKLY POLITICAL REGISTER.

VOL. XVII. No. 24.] LONDON, SATURDAY, JUNE 16, 1810. [Price 1s.

TO MY READERS.

The TRIAL, in the case of an Information against me by the Attorney General, the result of which, so mortifying to my friends, will be read in the daily prints, having occupied my attention and time, during the whole of the week, I hope my Readers will excuse my not writing any thing in this present Number.——It is necessary, that the Register should go to the press finally by *Friday noon;* and, of course, it being now past twelve o'clock, there is no time for the insertion of any thing, upon the subject of the Trial, this week.——In my next Number, I shall endeavour to make up for this omission.

WM. COBBETT.

London, 15th June, 1810.

PRIVILEGE OF PARLIAMENT.

(From the Statesman.)

Sir;—I have read, with no inconsiderable degree of interest, the speech of Mr. Ponsonby, in support of the claim of the House of Commons, to exercise summary jurisdiction in matters cognizable by the ordinary Courts of Law. It appears to me, that this Leader of Opposition has, with the subtlety of a *Nisi Prius* Pleader, omitted to notice, or has touched with a purposed delicacy, some striking features of the case in question; and, being anxious to anticipate, if possible, the approaching season of proscription, I solicit your early insertion of a few remarks on the doctrines which have been lately received with such applause by the lower House of Parliament.

It is a striking fact, Sir, and somewhat remarkably coincides with Mr. Ponsonby's philippic against Kings, that these doctrines were first enforced to any considerable extent by that House of Commons which abolished the monarchy of England, and annihilated the legislative authority of the House of Lords. The leading Members of that Assembly had suffered severe persecutions from the Agents of the Court; and when they became, in their turn possessed of power, they were eager to retaliate, and, selecting as their first victims delinquents who had, by a variety of crimes, justly excited the public indignation, they were supported in the exercise of a "vigour beyond the law," by the voice of a thoughtless people. As a specimen of the spirit by which those who, at that period, "rallied round Parliament," were actuated against an obnoxious individual, I shall quote the reply made by Mr. St. John, one of Mr. Ponsonby's worthies, to the irrefragable argument of the Earl of Strafford, that the impeachment against himself was not founded on any statute:—"He that would not have others to have a law, why should he have any himself? Why should not that be done to him that himself would have done to others? It is true, we give law to hares and deers, because they be beasts of chace. But it was never accounted either cruelty or foul play to knock foxes and wolves on the head, because these be beasts of prey."—Such, Sir, was the language, such were the principles of the Statesmen, whose humane and enlightened decisions afford the House of Commons the most abundant examples of summary proceedings against the impugners of parliamentary privilege. Most wise is the political maxim which Sallust attributes to Julius Cæsar:—"Omnia "mala exempla ex bonis initiis orta sunt; "sed ubi imperium ad ignaves, aut pravos "bonos pervenit, novum illud exemplum "ab dignis et idoneis ad indignos et non "idoneos transfertur." It seems to be the decree of Providence, that no violation of justice shall finally pass unpunished. If the claim lately asserted with so much haughtiness by certain Members of the House of Commons, be established, severe will be the penalty which the inhabitants of these kingdoms will be doomed to pay for the transgressions of their forefathers.—But in my humble opinion, Sir, the very

statement of this claim is sufficient at once to effect its condemnation. The claim in question is of this alarming extent—That the House of Commons has a right to compel the appearance of any person not being a Peer of the Realm, who is charged with a breach of its Privileges—that its Members have a right, after originating an accusation on this head, to sit as Judges in their own causes, and to put the accused party on his trial, without the aid of counsel—and, after hearing evidence unsworn, nay, without hearing evidence at all, to give judgment against the culprit, and to imprison him during their pleasure.—It is indisputably evident, Sir, that this claim involves in its admission the surrender to the caprice of the House of Commons for the time being, of the personal liberty of every subject of these realms, who ventures publicly to call into question the conduct of public men, or to state his disapprobation of public measures.—This claim it seems, Sir, is to be maintained by an appeal to precedents. But will any candid and enlightened man pay respect to any precedents, however numerous, or to any usage, however ancient, by which such a claim may be supported? I confidently answer "No," and apply to this subject the manly language of Mr. Fox, who, on the question of the abatement of an impeachment on a dissolution of parliament, observed, that, "with regard to the force of precedents on constitutional points, had the dispensing power claimed by the Stuarts been decided by precedent, it might perhaps have been found to be good: but that where any usage appeared subversive of the Constitution, if it had lasted for one or two hundred years, it was not a precedent, but an usurpation."—Now, with the single exception of a direct controul of our civil authorities by a military force, I cannot, Sir, conceive a more flagrant violation of the principles of the Constitution, than the claim, the merits of which I now take the liberty to discuss. One of the most glorious characteristics of the Constitution is an anxious and jealous protection of personal liberty. In cases of the highest misdemeanors, provision is made by law, to allow the accused party time to prepare for trial; and he is permitted, upon giving bail, to be at large till the moment of his conviction. On his trial he is allowed Counsel to conduct his defence. The evidence against him is given on oath. He is tried by a Jury, whose impartiality is secured by every possible precaution—and should he be found guilty, the discretionary sentence which may be passed upon him is definite in its duration. In addition to all these safeguards against wrong, various provisions are made for the rectifying by superior courts of errors committed by subordinate authorities. Again, for the due administration of justice in ordinary cases, it is provided, that the accused party shall be tried in the county or sheriff-dom where the criminal acts imputed to him are alledged to have been committed, by which wise provision much expence is saved to Defendants, and they enjoy, what is an invaluable blessing to the innocent, something approaching to an appeal to their vicinage. With pride as an Englishman, and with grateful admiration of the wisdom of our ancestors, do I express my conviction, that in ordinary cases the criminal jurisprudence of our country, in its practical administration, approaches nearly to perfection.—But what is the process attempted to be enforced by the House of Commons? At the will and pleasure of, perhaps, a dozen of its members, a man may be dragged to their Bar from the rocks of Orkney, or from the verge of the Land's End. Or, if the harsh sound of turbulent patriotism should grate upon their honourable ears, from the coasts of Donegal, the culprit may be hurried across the Channel, to answer for his want of courtesy. He is put upon his trial *instanter*. However incompetent he may be to speak on his own behalf, no one is allowed to plead for him. The witnesses which may be produced against him, are not awed by the sanction of an oath; and when his hasty and ill-arranged defence is finished, he may, by a simple vote of the House, be consigned to imprisonment, not for any definite length of time, but during the will and pleasure of those who have acted in the double capacity of his accusers and judges.—The common sense of mankind, Sir, revolts against this claim, as it is thus analyzed; and it accordingly happens, that the attempt to enforce it upon men of resolute minds has frequently reduced the House of Commons to serious embarrassments, and rendered it the object of odium and contempt. "In the reign of Charles II." says Hume, "the liberty of the subject, which had been so carefully guarded by the Great Charter, and by the late law of Habeas Corpus, was every

"day violated by the arbitrary and capricious commitments of the Commons. "—At last the vigour and courage of one "Stowel, of Exeter, put an end to the "practice. He refused to obey the Ser- "jeant at Arms, stood upon his defence, "and said, that he knew of no law by "which they pretended to commit him. "The House, finding it equally danger- "ous to proceed or to recede, got off "by an evasion: they inserted in their "votes that Stowel was indisposed, and "that a month's time was allowed him "for the recovery of his health."—In the Case of the Aylesbury men, in the reign of Queen Anne, which Lord Milton seems to quote with so much pride and satisfaction, the violent proceedings of the House of Commons led to such embarrassments, that to cut the knot, the Queen was obliged to dissolve the Parliament. The summoning of the Printers in 1771 established a practice which the House prohibited; namely, the practice of publishing the debates in Parliament. Mr. Adam, the gratuitous trustee of the Duke of York, has alluded to the ridiculous defeat which it sustained in a contest with the celebrated Mr. Horne, now better known by the name and title of John Horne Tooke, Esq. I need not remind you, Sir, that when during his unconstitutional expulsion, John Wilkes was summoned to attend at the bar of the House, he refused so to do: and that the Commons, to get rid of the difficulty, summoned him for a future day, over which they took care to adjourn.—And what has the House gained by the committal of John Gale Jones? Of that gentleman, I will not affect to speak slightingly. The firm endurance of misfortune excites, in my mind, emotions of respect. But, I trust, that the honest pride of Mr. Jones himself will not be offended, when I state my opinion, that neither his condition in life, nor his influence in society, rendered necessary the proceedings which, at the instance of Mr. Yorke, were adopted against him. His demeanour at the Bar of the House of Commons evinced that it was not his aim to obtain a vulgar popularity by systematic insolence; and I am persuaded, that even the majority of those who may have thought him wrong, in the first instance, are at present persuaded, that, considering the long duration of his imprisonment, he is "more sinned against, than sinning."—In its subsequent warfare with Sir F. Burdett, the House has involved itself in a multitude of perplexities, of which the public may be permitted to think, that they have not tended to add to its dignity.—If, Sir, the House of Commons appeal to precedent in support of the claim of privilege, which I am now taking the liberty to examine, the people will also appeal to precedent to shew how this privilege has been abused. They will remind each other of the "arbitrary and "capricious commitments" in the reign of Charles II. They will recollect, that in the year 1704, five individuals having brought an action in the Queen's Bench against the Constable of Aylesbury, for refusing to take their votes at an Election for that Borough, were by the House of Commons imprisoned for so doing—that these individuals, having attempted to obtain their liberty by writs of Habeas, the House proceeded to imprison the Solicitor and Counsel who had sued out the said writs, and pleaded for the prisoners upon their return.—The people, Sir, will not fail to remember, that when this House of Commons was apprehensive that the prisoners in question might, by the legal operation of Writs of Error, be liberated from Newgate, it ordered the Serjeant at Arms to take them into his own custody, and transfer them to the Gatehouse; which order, say the Lords in an Address to her Majesty on this subject, "was executed at midnight, with such circumstances of severity and terror as has been seldom exercised towards the greatest offenders." In this transfer of custody, Sir, a vigilant public will see a proceeding which a mole-eyed corps of precedent-hunting lawyers may quote as an authority which may justify some future House of Commons in transferring its victims to Cold Bath Fields or to the rocks of Scilly.—The people of England, Sir, will watch with anxiety the legal proceedings which are now pending; and if they find that the momentous question of the power of the Speaker's warrant is precluded from being decided by a Jury; if they hear a confirmation of the doctrine laid down by Mr. Justice Powell and Mr. Justice Gould, in Hilary Term 1704, "that if, upon inspection of the Speaker's Warrant, it simply appears that any suitors of the Court of King's Bench are committed by the House of Commons, the jurisdiction of that Court ceases," they will feelingly agree with the remark made upon the assumptions of the House of Commons, of 1704, by the Lords, which declares in substance, that,

" in no country where the government is not arbitrary, is the judicature in the last resort placed in the hands of the originators of law and prosecution."—If the doctrine of Justices Powell and Gould be maintained, " *Dii meliora pus,*" if it be solemnly decreed that no Court is competent to examine whether a subject, under restraint by the Speaker's Warrant, as issued by order of the House of Commons, be detained for lawful and sufficient cause or otherwise, then, Sir, the people will anxiously inquire, what this House of Commons is, and how it is constituted. Be not alarmed, Sir, I will not afflict you with the thrice-told tale of Old Sarum, St. Mawes, and St. Germains. I will not torment you by analyzing the masterly Report delivered to the Society of the Friends of the People, on Saturday, the 9th of February, 1793. On this topic we may come to an important conclusion by a much shorter way. Of late years, Mr. Justice Blackstone, in whose luminous pages I was early taught to trace and to venerate the principles of the English Constitution, has been condemned as a visionary theorist, and we have been incessantly referred to the " practice of the Constitution." And in the course of this practice it is established as a political axiom, that the Prime Minister of the Crown, for the time being, must bear sway over the House of Commons. So firmly indeed is this axiom established, that when the Minister loses that sway, he at the same time loses his office. Behold, then, Sir, into what a monstrous proposition the claim of the House of Commons resolves itself, namely, " That the Minister for the time being shall have power, by the instrumentality of that House, to imprison during his pleasure any of his Majesty's subjects, whose political acts can, by any ingenuity, be interpreted as trenching upon its privileges." It was justly observed by Junius, that " the undue influence of the Crown may answer every purpose of arbitrary power."—I need not point out to you, Sir, how dangerous an annoyance this power, if formally sanctioned by law, will be to the friends of Opposition. If, however, the Opposition occasionally call for the exercise of it, for decency's sake, the Minister will not be able to deny them that exercise. Then will be repeated the scene between the triumvirs, so well described by our immortal bard, in the tragedy of Julius Cæsar. Victims will be mutually interchanged. Some future Ponsonby may demand the incarceration of a Redhead Yorke; and some Ryder yet unborn, may say to some future reversionist, " Prick him down Perceval." The Minister may demand the sacrifice of a Perry; and the leader of Opposition may cry, " Look, with a spot I damn him!" The effect of such proceedings on the nation at large, I leave to the consideration of all those who wish well to the Constitution of their country; and I call upon the people of the United Kingdom to meditate upon this truth, that it is mainly by having had recourse to the law of the land, to prevent the possibility of their occurrence, that Sir Francis Burdett has incurred the avowed displeasure of the two parties into which the House of Commons is now divided.—— What, then, it may be said, is the House of Commons to be stripped of its privileges? God forbid! Let that House be armed with every privilege which is necessary to enable it to execute its important trust. If an humble individual may be allowed to give an opinion upon such high matter, I would beg leave to suggest the following clue, which may serve as a guide through the labyrinth in which men's thoughts seem to wander upon the subject of privilege. Let us hear no more of constructive obstructions; but let privilege operate to remove every real obstruction, that word being still construed in a large and liberal sense. If in the course of any inquiry a witness, being summoned, refuses to attend, let the House arrest and punish him; because he obstructs the public business.—If any one under examination before the House stand contumaciously mute, behave indecorously, or prevaricate, let it commit him, because he obstructs the public business. This process evidently grows out of the necessity of the case, and can never be invidiously resorted to. In these, and similar instances of wrong, redress can be had in no other Court, and the House is compelled to redress itself. But in cases of libel, the general cause of committals, no real obstruction occurs. The Courts below are open, and you may rest assured, that if the complaints of the House on this head are not captious and frivolous, the offending parties will be convicted, and that they will be visited with a much severer punishment than any which its Members would choose to inflict. I remain, Sir, Yours, &c. W. SHEPHERD.

Gate acre, near Liverpool.

John Bowles's New Society; or Sham Loyalty upon its last Legs.

The spirit of disaffection, which has recently made its appearance in the metropolis, and in some parts of the country, denotes that there still exists amongst us a body of men, whom no experience of the calamities attendant upon violent changes can moderate, and whose inveterate hostility to the establishments of our country no reasoning can reclaim. Even the great external danger which menaces the nation, does not seem to disarm their virulence, or even from a sense of public or individual safety, to contain their disorderly spirit within the limits of discretion. We are inclined, however, to think that this disposition to mischief is not general. The lower orders of the people appear to be more under the influence of delusion, than of a premeditated determination to alienate themselves from their wonted reverence to the laws and constitution of their country. Of this fact we are the more convinced since the establishment of that iron reign of tyranny in France, which has put an end to those visionary and abstract notions respecting the principles of government, which some years ago convulsed the world, and in a more particular manner seduced the understandings and affections of the common people from the venerable constitution of our country. The people, it is to be hoped, have divorced from their minds those pernicious theories, which they had once striven to reduce into practical effect. But it is to be lamented, that whether deceived by the artifices and hopeless impenitence of men, whose deep-rooted animosity to our form of government neither time nor experience can allay; or moved by well-intentioned, though fallacious, ideas of liberty; a considerable portion of the people are, at the present moment, imposed upon by the intrigues of designing, desperate, and unprincipled demagogues, instigated to the unblest work of mischief by the peculiar circumstances of the times. In the prosecution of their objects, necessarily leading to civil disorders, they have resorted to all the usual practices, to which, since the press has acquired an ascendancy over the public mind, the enemies of religion and regulated government have recurred. They have converted the press, which ought to be a wholesome instrument of public instruction, into an engine for the circulation of the most pernicious maxims. They have indeed so far succeeded, as to make it, in every respect, subservient to their own views; and while dangerous doctrines, inculcating an audacious resistance to the laws, are widely dispersed through that powerful medium, no counteracting exertions have been hitherto employed to render it an useful auxiliary of the laws, of good morals, and of social order.—While seditious and unseemly ballads are incessantly sung in the streets, to ungodly tunes; while inflammatory hand-bills are distributed and posted in every quarter of the town; and while the periodical press is mischievously engaged in disseminating principles subversive of the laws and constitution; it surely cannot be thought inexpedient, or unworthy of the concurrence of loyal men, to combine for the purpose of interposing an effectual check to such alarming licentiousness. The public disorder increases more by the indifference or apathy of the good, than by the boldness of the wicked. For if the friends of the constitution sleep, while its enemies are undermining its foundations, and assaulting its bulwarks, it betrays a culpable want of common sense to suppose that the constitution itself will survive the secret machinations, and open attacks, which are directed against it. Prudence and the sentiment of national preservation dictate, therefore, that domestic agitators ought to be resisted, by the same means which they employ to mislead and to seduce the people. Why should not the press be as actively engaged in the circulation of good, as of bad principles? We can discover no other reason against this position than that too confident opinion, which is unfortunately prevalent among the friends of order, that the best frame of government in the world possesses the means of guaranteeing its own safety, without the interference of those who have the happiness to live under it, and be sensible of its blessings. This, however, is a fatal delusion, contradicted by the evidence of history, and by our knowledge of human nature. For an active, indefatigable, and daring faction, has on numberless occasions overcome the will and the influence of the general body of the people,—when that will and that influence have not been exerted in the repression of its measures.—Impressed with a conviction of the imminent danger consequent on a supine inattention to the practices of domestic incendiaries, and confident of the advantages which must infallibly result from a timely effort

to disabuse the public mind; several Gentlemen have for some time past individually contributed their efforts, and finding, even upon this small scale, a most sensible impression produced upon the public mind, are anxious to extend by a more enlarged co-operation the full effect which may be reasonably expected by printing and distributing gratis, or at a cheap rate, among the lower orders, proper antidotes to the pestiferous doctrines, which daily issue from the press under the direction of the disaffected.—On the strength of these principles, and on the certainty of the salutary effects which must flow from their exertions, (of which no doubt can be reasonably entertained, when the prodigious success of exertions on the opposite side is considered); the Gentlemen who have embarked in this loyal and laudable undertaking, without the least connection with any of the parties which now divide the interests and affections of a great portion of the community, invite all those who think as they do concerning the exigency of the times, and the necessity of counteracting the mischiefs which designing men are preparing against the peace of the kingdom, to co-operate in their constitutional and honest intentions, by contributing to a fund which they have already instituted, for the dissemination of sound and good principles among the lower classes of society.

The partnership of Bowles, Brickwood and Co. in Old Broad Street, being dissolved, contributions for the above purpose will be received by the Secretary, and by Messrs. Devaynes and Co. and Messrs. Praeds and Co. Bankers, in London; and Messrs. J. C. Beresford and Co. and Sir John Stewart, Bart. and Co. Bankers, in Dublin; and by Mr. Lloyd, Bookseller, Great Mary-le-bone Street; Mr. Asperne, Bookseller, Cornhill; and Mr. Walker, Bookseller, No. 192, near St. Clement's Church, Strand. By order of the Committee, A. B. TURNBULL, Secretary, No. 3, Bolt Court, Fleet Street.

N. B. Sums, however small, will be thankfully received; but, it is hoped, that no Bank-notes with those offensive words, "BURDETT FOR EVER," written upon them, will be sent. [A Commission of only 2½ per cent. will be charged, agreeably to the recommendation of the Report of the House of Commons relative to the Flemish Account of the Dutch Commissioners.]

PARISH OF ST. DUNSTAN IN THE WEST.

SIR;—Actuated by your acknowledged impartiality, and the excellent and unanswerable arguments you have employed against the assumed right of the House of Commons to imprison the subjects of these realms, for offences cognizable in the Courts of Law; I beg your attention to a few plain statements on the subject of a Declaration said to have been entered into at a Meeting of the Vestry of the Parish of St. Dunstan in the West, signed by the Rev. RICHARD LLOYD, A. M. the Vicar.

As that Declaration roundly charges all who have participated in the late Petitions and Addresses respecting the questions of Privilege and Parliamentary Reform, with "bold and alarming attempts to sow the seeds of dissention throughout the country," which attempts it regards "as proofs of political frenzy, or of foul sedition;" a brief but true account of the Declaration may be justly considered due to the loyalty and constitutional principles of those whom the author has thus flagitiously endeavoured to stigmatize and vilify.

I am, Sir, a Parishioner of St. Dunstan's in the West; and although neither so deeply versed in "Christian Theology," nor in those constitutions which were "the dreams of ancient sages," as the Rev. Richard Lloyd, A. M. Vicar and Chairman; I feel myself, as a plain man, and fond of truth, no less entitled to the notice of my brother parishioners, than the author of the Declaration in question. In the 1st place:—The Vestry was not called to take the Declaration into consideration but in the old customary way, for transacting the business of the Parish.—2dly, The number of persons who attended that Vestry, did not exceed sixteen.—3dly, The Declaration was introduced by the Rev. Mr. Lloyd himself, who, *ex cathedrâ*, earnestly and piously expatiated on the necessity of its adoption.—4thly, No opinion was given by the Meeting on the Declaration, although moved and seconded, nor was any decision taken upon it.—5thly, The Declaration was not signed by any one of the Vestrymen then present.—6thly, The Rev. Richard Lloyd, A. M. Vicar and Chairman, does not reside, either as a householder or lodger, in the Parish of St. Dunstan.

I readily acknowledge the zeal and ability with which the Rev. Mr. Lloyd dis-

charges the duties of his vicarial office; and both on that account, and for the "internal concord" of his flock, who for a very long series of years, have lived in peace and good-will towards each other, I sincerely lament that he should so unexpectedly have set himself up for their political, as well as their religious pastor.

A PARISHIONER OF ST. DUNSTAN'S IN THE WEST.

---

* *First* REPORT *from the Select Committee on Proceedings relative to Sir Francis Burdett.—(Concluded from p. 864.)*

"Upon the report from the Committee of Privileges and Elections, to whom this petition of J. Topham was referred, the House resolved, That this House doth agree with the Committee, that the judgment given by the Court of King's Bench, Easter Term 34 Car. II. Regis, upon the plea of John Topham, at the suit of John Jay, to the jurisdiction of that Court; and also the judgments given against the said Mr. Topham, at the suit of Samuel Verdun, &c. are illegal, and a violation of the privileges of Parliament, and pernicious to the rights of Parliament." Whereupon it was ordered, "That Sir Francis Pemberton, Sir Thomas Jones, and Sir Francis Wythens, do attend this House on Wednesday morning next."

"In consequence of this order, Sir Francis Pemberton and Sir Thomas Jones, who had been two of the Judges of the Court of King's Bench at the time when the judgment was passed, were heard in their defence; and afterwards committed to the Serjeant at Arms, for their breach of the privileges of this House, by giving judgment to over-rule the plea to the jurisdiction of the Court of King's Bench."

Your Committee think it proper to state, That Sir Francis Pemberton and Sir Thomas Jones, in defending themselves at the Bar of this House for their conduct in over-ruling the Plea to their Jurisdiction in the actions of Jay *v.* Topham, &c. defended the judgment they had given, by resting upon the nature of the pleading, and not by denying the jurisdiction or authority of this House; and Sir Francis Pemberton expressly admitted, that, for any thing transacted in this House, no other Court had any jurisdiction to hear and determine it.

Your Committee in the next place think it expedient to state to the House, that there are various instances in which persons committed by the House of Commons have been brought up by Habeas Corpus before the Judges and Courts of Common Law; and in these cases, upon its appearing by the return to the Habeas Corpus, that they were committed under the Speaker's Warrant, they have been invariably remanded.

3. Having stated these instances of the manner in which the acts and commitments of this House have been brought into judgment in other Courts, and the consequences of such proceedings, your Committee further think it proper, and in some degree connected with this subject, to advert to the course which was adopted for staying proceedings in suits brought against Members and their servants, while they were protected from such suits during the sitting of Parliament.

The roll of Parliament, 8 Ed. II. affords the earliest trace which your Committee has found upon this subject. It is a writ from the King, confirmatory of the privilege of being free from suits in time of Parliament, and is in the following words:

"Rex mandavit Justiciaries suis ad assisas, jurat: &c. capiend assignat: quod "supersedeant captioni corandem ubi comites barones et alii summonati ad Parl. "regis sunt partes quamdiu dictum Parliamentum duraverit."

There have been various modes of proceeding to enforce this privilege. In Dewes's Journal, p. 436, 31 Eliz. 1588-1589, Friday 21st of February, your Committee find the following a motion made by Mr. Members of this House having writs of Nisi Prius brought against them, to be tried at the Assizes in sundry places of this realm to be holden and kept in the Circuits of this present vacation, and that writs of supersedeas might be awarded in those cases in respect of the privilege of this House due and appertaining to the Members of the same; it is agreed, that those of this House which shall have occasion to require such benefit of privilege in that behalf, may repair unto Mr. Speaker, to declare unto him the state of their cases, and that he, upon his discretion (if the cases shall so require) may direct the warrant of this House to the Lord Chancellor of England, for the awarding of such writs of supersedeas accordingly."

But the House used to stay also proceedings by its own authority; sometimes by sending the Serjeant at Arms to deliver

the person arrested out of custody; and sometimes by letter from the Speaker to the Judges before whom the cause was to be tried. Of this latter mode of proceeding, your Committee find many instances previous to the 3d of Charles I. Your Committee find a decision against the authority of such a letter, in the Court of King's Bench, which is reported in the margin of Dyer's Reports, p. 60, and in Latch, pp. 48, and 150. And shortly after the refusal by the Court of King's Bench to notice this letter from the Speaker, the Parliament was dissolved. There are, however, many other instances of this course of proceeding after the Restoration; and in the instance of Lord Newburgh (23d February 1669) the House ordered the proceedings to outlawry to be staid during the Sessions, and the record of the exigents to be vacated and taken off the file.

The last instance which your Committee find of such letters having been written, occurs in the Lord Berkeley's case in 1691, in which the Speaker is directed to write a letter to the Prothonotary that he do not make out, and to the Sheriff of the county of Pembroke, that he do not execute any writ whereby the Lord Berkeley's possessions may be disturbed, until Mr. Speaker shall have examined and reported the matter to the House, and this House take further order thereon. By 12 and 13 W. III. c. 3. this privilege was curtained; and further by Stat. 2 and 3 Ann. c. 18.—11 Geo. II. c. 24.—10 Geo. III. c. 50.

Lord Chief Justice De Grey says, in Crosby's case, "If a member was arrested before the 12 and 13 W. III. the method in Westminster Hall was to discharge him by writ of privilege, under the Great Seal, which was in the nature of a supersedeas to the proceeding. The statute of William has now altered this, and there is no necessity to plead the privilege of a Member of Parliament."—All these Acts merely apply to proceedings against Members in respect of their debts and actions as individuals, and not in respect of their conduct as Members of Parliament; and therefore they do not in any way abridge the ancient law and privilege of Parliament, so far as they respect the freedom and conduct of Members of Parliament as such, or the protection which the House may give to persons acting under its authority.

4. Upon the whole, it appears to your Committee, that the bringing these actions against the Speaker and the Serjeant, for acts done in obedience to the orders of this House, is a breach of the privileges of this House.

And it appears, that in the several instances of actions commenced in breach of the Privileges of this House, the House has proceeded by commitment, not only against the party, but against the Solicitor and other persons concerned in bringing such actions; but your Committee think it right to observe, that the commitment of such party, Soliciter, or other persons, would not necessarily stop the proceedings in such action.'

That as the particular ground of action does not necessarily appear upon the writ or upon the declaration, the Court before which such action is brought, cannot stay the suit, or give judgment against the Plaintiff, till it is informed, by due course of legal proceeding, that such action is brought for a thing done by order of the House.

And it therefore appears to your Committee, That even though the House should think fit to commit the Solicitor or other person concerned in commencing these actions; yet it will still be expedient that the House should give leave to the Speaker, and the Serjeant, to appear to the said actions, and to plead to the same; for the purpose of bringing under the knowledge of the Court, the authority under which they acted: and if the House should agree with that opinion, your Committee submits to the House, whether it would not be proper that directions should be given by this House, for defending the Speaker and the Serjeant against the said actions.

RESOLUTIONS, PETITIONS, REMONSTRANCES, *&c. on the* LIBERTY OF THE SUBJECT *and* PARLIAMENTARY REFORM, 1810.

SHEFFIELD MEETING.

RESOLUTIONS. June 6, 1810. At a Meeting of from seven to eight thousand of the Inhabitants of the Town and Neighbourhood of Sheffield, convened by public advertisement, and held this day in Paradise Square, by adjournment from the Town Hall, to take into consideration the Assumption of Privilege by the House of Commons, of imprisoning his Majesty's Subjects for Offences cognizable in the courts of

law; the subject of a Parliamentary Reform; and the propriety of returning Thanks to Sir Francis Burdett for his services to his Country, the following Resolutions were voted unanimously: Mr. E. Rhodes, in the Chair.

1. That the subjects of these kingdoms are entitled to personal liberty and security as their unalienable birthright, transmitted by their ancestors and confirmed by many venerable statutes; a high and sacred trust which they are determined if possible to leave unimpaired to posterity.

2. That no privileges subversive of these Rights can co-exist with the statutes which enacted and confirmed them; and while we fully acknowledge the competency of the Commons House of Parliament to punish contempts, and to remove obstructions to public business; we most solemnly maintain that it has no power to dispense with the unrepealed statutes of the Realm, by punishing at discretion such offences as cause no actual interruption of its proceedings, and are cognizable in the courts of Law.

3. That feeling the most ardent attachment to the constitution of our country, and jealous of the least infringement upon those Laws to which we owe our dearest enjoyments, we have observed with unaffected sorrow and alarm some recent proceedings of the honourable the House of Commons, by which it has assumed the power of depriving us of our personal liberty, contrary to the letter and spirit of many excellent statutes, which enact that "no Freeman shall be imprisoned but by the lawful judgment of his equals or the Law of the Land."

4. That in our opinion a Judge and Jury form the only proper and legal tribunal in cases of libel; and were the power now assumed by the House of Commons of deciding in all cases upon the nature and extent of their own privileges confirmed, it would have a fatal influence upon the liberty of the press, and might, in the hands of a corrupt and unprincipled administration, become a dreadful engine of despotism, and finally subversive of the English Constitution.

5. That the fatal wars in which we have been engaged, the lavish expenditure of public money, the exercise by the House of Commons of illegal and unnecessary privileges, its approbation of ruinous expeditions, its support of weak and arbitrary Ministers, its refusal to enquire into the shameful practice of trafficking for seats and to adopt any plan of Reform, and all the other numerous grievances under which we have long been labouring, are entirely owing to the want of a well organized and more extended Representation of the People in Parliament.

6. That in order to arrest the progress of our national calamities, and avert those dangers which threaten the destruction of the state, it is our decided opinion, that the House of Commons should be restored to its constitutional dependence upon the people, whom it is its proper function to represent; that we highly approve the Petition to the Honourable House now read; that the Chairman and Requisitionists be authorized to sign it on the behalf of this Meeting, and that it be transmitted to Mr. Whitbread, who is hereby requested to present and support the same.

7. That from a full conviction that the present state of the Representation is the grand source of all our evils, and that no real, substantial, permanent benefits can be conveyed to the people, until they have the power of sending honest and independent men into the House of Commons, this meeting do most earnestly and respectfully suggest to all the counties, cities and towns of these kingdoms, the necessity of presenting petitions to parliament upon this subject on the opening of the next session, and of supporting by every means in their power, Sir Francis Burdett, Mr. Brand, and other Gentlemen who may co-operate with them in so important a work.

8. That from the recent decision upon Mr. Brand's Motion, it is too probable, that the almost unanimous voice of the nation in favour of that measure may continue to be disregarded by the present House of Commons. It is therefore become the duty of the people themselves, independently to exert the power remaining to them in the state, by embracing every opportunity of electing such members only, as will unequivocally promise their best exertions to obtain that Reform in Parliament, so absolutely essential to the salvation and permanent prosperity of the country.

9. That the Right Hon. Viscount Milton, when he solicited the honour of representing the County of York, did solemnly declare to the people at the Cloth Hall, in Leeds, that they should ever find in him an active enquirer into abuses, and were it in his power, he would root out the very seeds of Corruption;

but that his lordship by his conduct on the motion of Mr. Madocks, respecting Mr. Perceval and Lord Castlereagh's trafficking for seats, by his vote against the liberation of Mr. John Gale Jones, and more particularly by his vote and speech on Mr. Brand's motion for Reform, has insulted the people of England, and rendered himself unworthy of the confidence of his constituents.

10. That the Thanks of this meeting be given to Mr. Brand, for his motion, and speech in the House of Commons in favour of a Parliamentary Reform; to the 114 members by whom that measure was supported; to Lord Erskine and Sir Samuel Romilly, for their manly and eloquent defence of the good Old Laws of England, and the rights of their fellow subjects; and to Mr. Whitbread for his unremitting attention to his duty in Parliament, and his constant support of every measure favourable to the interests of the people.

11. That the warmest acknowledgments of a grateful people are more pre-eminently due to Sir F. Burdett, for his prompt and generous attention to the case of Mr. Jones; for his eloquent, learned, and constitutional Argument against the power assumed by the House of Commons, of imprisoning his Majesty's Subjects contrary to the laws of the land; and for his noble, his virtuous, his unremitted exertions, "through evil report and good report," in Parliament and out of Parliament, in support of the grand National Cause in which he is engaged.

12. That the Address to Sir F. Burdett, now read by the Chairman, expressive of the sentiments and feelings of this Meeting, be by him transmitted to the Honourable Baronet without delay.

13. That as the respectable men who are now uniting in the cause of Reform, have been the subjects of much calumny and abuse, and their motives most uncandidly and ungenerously misrepresented, we cannot separate without solemnly declaring our inviolable attachment to the Government of this Country as by Law established; that it is our firm determination equally to support the Rights of the Crown, the just privileges of the Commons, and the liberties of the people; that we want no impracticable plans, no fanciful theories, no vain speculations; that the sober and rational Reform for which we contend, has been declared necessary to the salvation of the State by the most virtuous Patriots and most enlightened Statesmen; and finally, that the whole extent of our demand is "the Constitution, the whole Constitution, and nothing but the Constitution."

E. Rhodes, Chairman.

Resolved, That the Thanks of this Meeting be given to the Chairman, for his manly, able, and independent conduct in the Chair. 2. That the Thanks of this Meeting be given to the 24 Gentlemen who signed the Requisition for calling together the Inhabitants of the Town upon this important occasion.

To the Honourable the Commons of the United Kingdom of Great Britain and Ireland, in Parliament assembled.—The Address and Petition of the Freeholders and Inhabitants of the Town and Neighbourhood of Sheffield.

'Sheweth; That convinced, as we unalterably are, that your Honourable House is one of the main pillars of our admirable Constitution, (to which we are sincerely attached) it is with unfeigned regret we are compelled to consider that you have departed, in some respects, from the peculiar design of your institution, by combining the executive with the legislative functions, an evil which the penetrating Montesquieu foresaw might befal this happy country, and of which, he predicted, we fear too truly, that should it ever come to pass, it would effect the speedy decay and eventual destruction of our liberties.—Without recurring to other acts of your Honourable House, which have appeared to evince a disregard for the sentiments of your constituents, and to indicate that you are only nominally our Representatives, we will at present confine ourselves to the cases of Mr. John Gale Jones and Sir Francis Burdett, not without some hope that you will regret the severity of your proceedings towards those free-born subjects of our lawful sovereign, and that your will feel bound to restore them to their liberty, of which we conceive they have been unconstitutionally deprived.—We are well aware that your Honourable House has frequently claimed and exercised the right of imprisoning persons, members of the House of Commons, and also others not being members thereof, but we cannot help regarding such right as opposed to the Law of the Land, and subversive of our personal security.—On former occasions, when the claim and exercise of the privilege in

question have been resisted, your Hon. House, by adjourning beyond the time fixed for continuing the discussion upon such privilege, or by forbearing to persist in the resolutions you had passed, have frequently shewn the uncertain tenure of such claims, and tacitly admitted their inexpedience. It is because the exercise of this assumed privilege has been generally accompanied with so much lenity that it has not been viewed with that deep abhorrence, which we conceive its undefined and obnoxious nature is calculated to excite, and which has been described in the truest and most decisive language, by that Friend of the People, that firm supporter of injured innocence, Sir Francis Burdett. We beg leave respectfully to state to your Honourable House that we coincide entirely with the learned Argument used by the patriotic Baronet, and deem it unanswered and unanswerable.—While, therefore, we fully admit the propriety of your removing impediments to the freedom of debate, while we readily acquiesce in your right of punishing witnesses at your Bar for contempt and prevarication, while we object to no privileges which have for their sole design the prevention and removal of every obstacle to the discussion of those important subjects, and the pursuit of those necessary inquiries, which so frequently occupy your Honourable House, yet in cases like those of Mr. John Gale Jones and Sir Francis Burdett, cases wherein no violence was offered to your liberty of speech, no opposition made to your debates, no interruption given to your access to the House of Commons, nor any restraint upon your persons attempted; in such cases we are decidedly of opinion that we ought not to acknowledge your privilege; and we do most solemnly call upon your Honourable House to renounce, what we must deem an improper assumption of needless power.—We earnestly beseech your Honourable House to consider that Britons have rights which they ought never to relinquish—rights bought with the best blood of their forefathers, transmitted by them through a long line of patriotic ancestry, and bequeathed, as the noblest inheritance to their children.—For the exercise of one of these inalienable rights, through the medium of a free press, has your Hon. House punished two of our Countrymen, setting aside the ordinary course of law, and in your own cause taking upon yourselves the office, which we humbly maintain belongs only to a jury, that of deciding whether the publication be libellous or not. At the same time we lament to learn, that in the execution of your Speaker's warrant, undue violence has been used to that law, which regards an Englishman's house as his castle.—With this terrific stretch of privilege we cannot but be dissatisfied, as we feel that not even our real representatives ought, on any occasion, to have the right or power of dispensing with the Charter of our liberties.—We imagine that we perceive another danger arising from the possession of privileges unlimited by law, which, if it were the sole danger, would prove their impropriety. If the two Houses of Parliament have power to define their own privileges, each may assert such as are incompatible with those of the other, and which, by their clashing interests, may produce the evils of anarchy and civil war.—Here we cannot refrain from adverting to certain sentiments said to have been delivered in your Honourable House; we mean hints, we had almost said directions given to the Judges of the Land, as to their future conduct in the actions brought by Sir Francis Burdett against the Speaker of the House of Commons, and the Serjeant at Arms. While we regard those sentiments with indignation, we trust that the Judges are so independent as to treat all such intimations, wherever and by whomsoever they may have been uttered, with deserved contempt, and that the Court of King's Bench will satisfy the country, that to Britons there is no wrong without a remedy, and that by them no violence can be suffered without an appeal to the law.—We solemnly assure your Honourable House, that we regard the aforementioned rigorous treatment of British Subjects, and many of the various evils which afflict the State, as arising immediately from the wretched policy of a weak and intolerant Ministry, but primarily from the imperfect state of the representation of the people. The Petition presented by Mr. Grey, now Lord Grey, in 1793, at the Bar of your Honourable House, fully details the most shameful abuses in the election of Members of Parliament, and numerous petitions since that time, some of them very recent, have made it unnecessary for us to expatiate on those grievances and abuses here.—We must, however, take this opportunity to complain, that those grievances and abuses

not only remain uncorrected, but that, judging from sundry recent proceedings of your Honourable House, we fear that it is the determination of a majority of your Members to perpetuate practices, which are avowedly the disgrace of many Borough Elections, which are in direct violation of the purity of your Honourable House, and which exist in open defiance of the strong resolutions upon that subject read by Mr. Madocks, when he made his motion respecting the corrupt traffic and revocation of a seat by two of his Majesty's Ministers, in the case of Mr. Quintin Dick, into which case, flagrant and aggravated as it appeared, you refused to make any inquiry.—Under all these circumstances, we cannot, without the greatest sorrow, contemplate the fate of Mr. Brand's motion on the subject of Parliamentary Reform; a motion which had for its object only the formation of a Committee to inquire into the expediency of Reform. We earnestly urge your Honourable House to reconsider this subject; which, as inseparably connected with the peace and prosperity of our country, we have most seriously at heart; being confidently persuaded that the disfranchisement of decayed Boroughs, the extension of elective rights to populous Towns, and triennial Parliaments, so far from being incroachments upon the Constitution of this Kingdom, are indispensibly necessary for its preservation.—And your Petitioners will ever pray, &c.

ADDRESS TO SIR FRANCIS BURDETT, BART.

"Sir; Subjects of the same Realm, exposed to the same power, amenable to the same laws with yourself, and equally embarked in the cause of Parliamentary Reform, we feel it would be a dereliction of our duty, and an abandonment of principle, were we to omit addressing you on your present confinement in the Tower of London.—Your conduct, as a representative of the people, has obtained our highest approbation, and we, in return, give you our sincere and heart-felt thanks. We have seen you systematically and honourably abstain from those party struggles and contentions which so frequently occur in the House of Commons; struggles and contentions, in which, personal ambition and the emoluments of office, too often predominate over the more important considerations of public good. With equal satisfaction we have seen you appropriate your time and your talents to questions, generally perhaps, less attractive and imposing, but in our estimation, of far superior moment, and of more salutary effect; the oppressed individual has in you found a ready, and an able advocate, and the public peculator a determined enemy; by your research and exertions great constitutional questions have been elucidated, the provisions of the grand Charter of British Freedom have become more generally known, its blessings more extensively felt, and its value more highly and more accurately estimated, and though we lament that those exertions have subjected you to great privations and much personal inconvenience, we rejoice that the right of the House of Commons to "imprison without the intervention of a jury" is, by your perseverance, shortly to be decided upon in a court of law. Yet when we contemplate the important interests involved in this decision, we confess, we tremble for the result, because we feel sincerely and warmly attached to the Constitutional Government of our Country, as a Government not arbitrary and capricious, but of known, defined, and positive law; securing to the people trial for imputed offences, which we regard as the basis of all political freedom, and without which, no liberty can possibly exist. Feeling strongly this rational attachment to the wholesome provisions and good enactments of our forefathers, we protest against the exercise which has been made of an undefined and undefinable privilege by the hon. the House of Commons, in the imprisonment of John Gale Jones and yourself, for alledged offences, which, in our opinion, are cognizable only in the established courts of law.—Sir, we regard power without right as one of the most odious objects that can be presented to the human imagination, and we deprecate its establishment as a part of the Government of our Country, because we know that wherever it is suffered to exist its influence and its operations must of necessity be deadly and malignant. No salutary provision can flourish within its reach. We know likewise, "that unlimited power is apt to corrupt the minds of those who possess it, and that where law ends, tyranny begins." Permit us, Sir, before we quit this part of our subject, to enquire, in the language of the great Chatham, when speaking of this assumption of power by the Hon. the House of Commons; "What is this mysterious power, undefined by law, unknown to the

subject, which we must not approach without awe, nor speak of without reverence, which no man may question, but to which all men must submit."—Sir, having expressed our approbation of your conduct, and given you our sincere and heartfelt thanks, we have only to add to our wishes, that restored to your family and to the public, whose cause you assiduously serve, even from the recesses of a prison, you may long continue in perfect health, the delight of the one, and the boast and admiration of the other, the example to all good men, and the dread and terror of evil doers."

TOWN OF NOTTINGHAM.

At a numerous Public Meeting of the Electors and inhabitant Housekeepers of the said Town, convened by the Mayor, at the Guildhall in the said Town, on Monday the 28th day of May, 1810, in compliance with a Requisition of many respectable Electors and Housekeepers, and thence, for want of sufficient room, adjourned to the Market-place. Mr. ALDERMAN HOWITT in the Chair; the following Resolutions were passed unanimously:—

Resolved, 1. That the Constitution of this Kingdom, contained in the Great Charter signed by King John, and confirmed by the Bill of Rights, at the glorious Æra of the Revolution, possesses our highest approbation and veneration, and shall ever obtain our cordial support as being the Birthright of Englishmen.

2. That the violation of any of the Clauses of these Bulwarks of the Constitution is an infringement on the Liberties of Britons, and deserves our severest animadversions and unqualified censure.

3. That, by Magna Charta it is established, that "No Freeman shall be taken or imprisoned, or dispossessed of his free Tenement and Liberties, or outlawed or banished, or any wise hurt or injured, unless by the legal judgment of his Peers, or by the Law of the Land;" that this Right was further confirmed by a Statute passed in the Reign of Edward the Third, enacting that "No man of what state or condition soever, shall be put out of Land or Tenement, nor taken, nor imprisoned, nor disinherited, nor put to death, without being brought in answer by due process of the Law;" that in the Bill of Rights it is declared, "That the pretended power of suspending Laws, or the execution of Laws by regal (much less by any other) Authority, without consent of Parliament, is illegal;" and it is further added, that "We do claim, demand, and insist upon all and singular the Premises as our undoubted Rights and Privileges."

4. That with regret and indignation we learn that one Branch of the Legislature alone, the Commons House of Parliament, has assumed to itself the Offices of Prosecutor, Judge, Jury and Executioner; that this Honourable House has immured within the walls of a Prison, and detained during its pleasure, one of our fellow subjects, upon a Charge cognizable in our Common Courts of Law, where he might have been legally tried by twelve of his Peers; that by the command of this same Honourable House, another of our fellow Subjects, the Friend of the People, the Defender of our Liberties, for an Appeal to his Constituents, (which we conceive not only to be the Right but the Duty of every Representative,) has been dragged from his House, his Castle, by an Army of Soldiers, and imprisoned in the Tower.

5. That we are the more alarmed at this assumption of Privilege, on account of the partiality with which it is exercised; that it appears to us to originate in a determined wish to subvert the Liberties and Rights of Britons, and to destroy the Spirit of the British Constitution; for whilst the vilest State Delinquents, who suck the Heart's-blood of the Constitution, and consume its very vitals, escape unpunished; the attack is levelled against its best friends, its most firm Supporters; and whilst the man who endeavours to exclude the People from a knowledge of the Conduct of their Representatives, and who with ignominy and contempt is hurled from his station by his justly incensed Constituents, is elevated to a post of high Dignity, Honour, and Responsibility, the Petitions and Remonstrances of Thousands of the most enlightened Britons are contemptuously dismissed.

6. That we cannot in language sufficiently strong express our detestation at the Crimes, and our Contempt of the Imbecility of those Ministers who have been the Authors of all the recent Sufferings and Calamities of Britons; Men who appear to us equally weak and wicked; Men who can send Thousands of the bravest British Heroes to perish by Disease and Pestilence, lest, forsooth, they should be thought to be actuated "by the rigid precepts of Cold Precaution."—Men who

have planted Cannon in our Streets to overawe the Public Voice; Men whose object, as far as we can judge from their Conduct, appears to be to drive the People to Desperation, but who have hitherto been unsuccessful in their Detestable Attempt; Men who are our Sovereign's greatest Enemies, by endeavouring to expose his Name to Odium, in order to screen themselves from an Awful Responsibility; Men who have entwined Laurels on the brow of England's Enemy, but are their Nation's Curse, and their Country's Fellest Foes.

7. That with the deepest Sorrow we lament, that, in the midst of these Grievances and Calamities, we have turned our eyes in vain for the preservation of our Rights and Privileges, to that Band of Senators which formerly possessed our Confidence and Support; we lament, that they have disappointed the Hopes and Expectations of the Country. But whilst we watch them with an eye of jealousy and mistrust, we shall be ready to return to them, when they return to the defence of the People's Cause, and give us a solemn Pledge of their Disinterestedness and Sincerity.

9. That this Meeting present a Petition to the Honourable House of Commons, praying for a Parliamentary Reform, &c. and that the said Petition be transmitted to Daniel Parker Coke, and John Smith, Esquires, our Representatives, for presentation; who are hereby instructed to support the same.

10. That this Meeting present an Address to Sir Francis Burdett, expressive of their Gratitude for his Patriotic Conduct in defence of our Liberties.

11. That the Thanks of this Meeting be given to Lord Erskine, to Lord Cochrane, to Lord Folkestone, to Sir Samuel Romilly, to Mr. Whitbread, to Colonel Wardle, and to General Matthew, for their undeviating upright Conduct on all public Occasions, when the Liberty and Independence of their Countrymen have called for their Exertions.

12. That the Thanks of this Meeting be given to Mr. Brand, for his Motion to obtain a Reform in Parliament; to our worthy Representative, John Smith, Esq.; and to the other One Hundred and Thirteen Members of the House of Commons, who supported the same.

WILLIAM HOWITT, Chairman.

PETITION to the Honourable the Commons of the United Kingdom of Great Britain, in Parliament assembled.

Sheweth; That whilst most of the nations on the Continent of Europe have been sunk in Despotism, and in consequence involved in Anarchy, it has been the glory of England to possess a Limited Monarchy, a happy Constitution, consisting of King, Lords, and Commons in Parliament assembled. That we hail with rapture that Branch of the Legislature which forms the Democracy of the Constitution, the House of Commons, receiving it as the peculiar blessing of Englishmen, the Palladium of our Liberties, on the preservation of which depends the salvation of our Country. That we cannot therefore be justly charged with any wish to lower the dignity of this branch of our Constitution, when we humbly request a patient hearing of our grievances, and a redress of what we conceive to be our wrongs.—Under this conviction, we beg leave to call the attention of your Honourable House to a Statement offered to be proved at your bar, and still remaining uncontradicted on your Journals, that 300 Members of your Honourable House, comprising nearly one-half of your whole number, are in fact returned to your House by 150 Peers. We appeal to your Honourable House whether this glaring fact be not in direct opposition to the original design of your Constitution? whether the Commons House of Parliament, instead of being a check upon the Lords and upon the Throne, is not in danger of becoming, by this means, a humble dependant upon the Aristocracy, or the tool of the Crown? whether it be probable that the sentiments of the Peers should in every respect accord with the sentiments of the People, whose Guardians and Representatives the Commons are expected to be.—We are induced to make this appeal at the present time in consequence of several recent occurrences, in which a Majority of your Members has not only acted in opposition to the voice of the People, but (we are compelled to state) has, in our estimation, violated the Liberties and Birth-rights of Englishmen. We pray that you would coolly and deliberately review that clause in the Bill of Rights, upon which Mr. John Gale Jones was arraigned at your Bar, and condemned to confinement in a Prison during your pleasure. We ask, whether

the Clause, which he was charged with having violated, "That the Freedom of Speech, or Debates and Proceedings in Parliament, ought not to be impeached or questioned in any Court or Place out of Parliament," was not intended to check the encroachments of a despotic King upon the Liberties of the People, not to screen their Representatives from the People's animadversion? In proof that this was its meaning, we refer you to the last Clause in the same glorious Bill, which states, "That no Declarations, Judgments, Doings or Proceedings to the prejudice of the People in any of the said Premises, ought in any wise to be drawn hereafter in consequence or example." We ask whether your Honourable House have not converted one Clause "to the prejudice of the People," and by depriving a British Subject of his Liberty, without a Trial by his Peers, acted with "a Vigour beyond the Law?"—We also beg leave to state to your Honourable House our opinion, that it is not only the Right but the Duty of every Representative to lay before his Constituents the motives of his public Conduct, and appeal to them for their sanction and approbation. Impressed with this conviction, we learn with sorrow, that Sir Francis Burdett, for a statement of his opinions to his Constituents, has been dragged from his family and home, by an order of your Honourable House, and conveyed by an Army of Soldiers to the Tower.—Whilst the utmost stretch of power is exercised upon those who, in our opinion, are not merely innocent, but deserving of the gratitude of their country, we observe with concern and mortification that the highest State Delinquents incur not even so much as your censure. Lord Castlereagh, an acknowledged trafficker of Seats in your Honourable House, is politely excused, and kindly forgiven. Your Honourable House has refused even to inquire into the conduct of Mr. Perceval, the First Minister of the Crown, though charged with conniving at practices "at which our ancestors would have startled with indignation," because those practices "are as notorious as the noonday sun."—These, and other grievances, imperiously demand us to call for a thorough Reform of the House of Commons. We therefore humbly, but urgently pray, that, as a preliminary step, you will immediately order the liberation of John Gale Jones, and Sir Francis Burdett, and then lend every assistance in your power to the latter, towards the attainment of a complete Reform in our Representation. We are confident that we utter the sentiments of millions of Britons, when we appeal to the noblest feelings by which man can be actuated, the love of his fellow men, when we address ourselves to the cool dictates of your unbiassed judgment, when we call upon you, for the preservation of your own dignity, to grant us a radical Reform.—We believe that the happiness of the Nation, and the salvation of the Country, depend upon it. Only let the House of Commons be the fair Representatives of the people, and we are persuaded that they will have no occasion to complain of the violation of their Privileges; for their Privileges and our Liberties would ever accord. Around such a House of Commons, the People of England would rally with enthusiasm and rapture; they would unite with them in one Common Cause, and be ready to shed the last drop of their blood in their protection and defence.

LIVERPOOL PETITION.

To the Honourable the Commons of the United Kingdom. The Humble PETITION of the undersigned INHABITANTS of the TOWN and NEIGHBOURHOOD of LIVERPOOL.

Sheweth,—That in the year 1793, his Majesty, by the advice of his then Ministers, engaged in a war against France for the purpose of curbing the power of that country, and circumscribing its limits.—That, in the prosecution of the said war, various military expeditions have been planned and conducted, by successive administrations, which expeditions have almost uniformly failed in accomplishing the objects for which they were undertaken.—That in proof of this assertion, your Petitioners beg leave to call to the recollection of your Honourable House the Expedition to Flanders in the year 1793—the descent upon Quiberon Bay in 1794—the Invasion of Holland in 1799—the Attack on Constantinople in 1807—the Expedition to Egypt and Buenos Ayres in the same year—the disgraceful Convention of Cintra—the Campaign of Sir John Moore in Spain—and the retreat of Sir Arthur Wellesley, after the victory at Talavera, where he left his sick and wounded to the mercy of the enemy.—

And they particularly beg leave to call to the recollection of your Honourable House, that his Majesty's present Ministers did, in July last, fit out an armament of a magnitude unexampled in the annals of this Country, for the purpose of taking the City of Antwerp, and destroying the ships and stores which might be found in that port—and that the said armament returned home without effecting the object of its equipment, and having its numbers miserably thinned by a disease, the certainty of the occurrence of which seems to have been known to every body—his Majesty's Ministers alone excepted.—Your Petitioners further beg leave to represent to your Honourable House, that in considering the foreign policy of the different administrations who have managed the war with France, they find, that whereas, on our entrance into the said war, all the great powers of Europe were in alliance with us, they are now arranged on the side of the enemy; and, that the general result of the present long protracted hostilities is, that, notwithstanding the most gallant exertions on the part of his Majesty's fleets and armies, the limits of France, instead of being contracted, are greatly extended, and that her power, instead of being checked, reigns paramount throughout almost the whole of Europe.—Your Petitioners, moreover, beg leave humbly to state, that their feelings on the above-mentioned subjects are greatly aggravated by the scandalous system of Peculation, which has of late years been disclosed, and by the profuse expenditure of public money, which has occasioned the grievous weight of Taxation under which the nation now labours.—Your Petitioners do humbly conceive, that a long train of misfortunes, such as we have enumerated, and the consequent diminution of the relative strength, and political influence of the nation, must be imputed as matter of blame, either to the commanders employed to execute the measures of Government, or to Ministers, who, by the unskilfulness of their plans, have lost attainable objects, or by their folly and obstinacy have wasted the efforts of the nation on objects which are unattainable.—And yet your Petitioners are compelled to state, that save in the case of the Commanders of the Expedition to Buenos Ayres, no individual, either Minister or General, has been brought to punishment, as being accountable for the losses and misfortunes which have befallen the British Arms. That on the contrary, the plan and conduct of one disastrous Expedition after another, stands vindicated on the Journals of your Honourable House; and that nothing appears there to deter his Majesty's Ministers from again wasting the blood and treasure of the country, as they have lately done in the Expedition to Walcheren.—Your Petitioners further beg leave to state, that they are humbly of opinion, that this impunity of the planners and conductors of disastrous enterprises, and the consequent repetition of such enterprises, is no otherwise to be accounted for, than by the mode in which many of the Members of your honourable House obtain Seats therein; and especially by the introduction into your honourable House of numerous Placemen, Pensioners, and dependants on the Minister for the time being, whom your Petitioners humbly conceive to have an obvious interest, in forbearing to condemn, when condemnation would remove from office, those to whom they look up for fortune and influence.—Your Petitioners further beg leave to state, that this their opinion has of late been strongly confirmed, by the open defence of the system of Parliamentary corruption, which, during the last Session of Parliament, was set up in your honourable House, and which drew from your Speaker the memorable remark, that the practices so defended, were "practices, at the mention of which our ancestors would have started with indignation and disgust."—Your Petitioners have been still more strongly confirmed in the opinion above stated, by the fact, that lord Viscount Castlereagh, a Member of your honourable House, was, in the said Session, convicted of the two-fold offence of offering East India patronage in barter for a Seat in your honourable House; and that this offence, and the vindication of the system of corruption above alluded to, were passed over by your honourable House without any vote of censure thereon.

(To be continued.)

Published by R. BAGSHAW, Bridges-Street, Covent-Garden:—Sold also by J. BUDD, Pall-Mall,
LONDON:—Printed by T. C. Hansard, Peterborough-Court, Fleet-Street.

COBBETT'S WEEKLY POLITICAL REGISTER.

Vol. XVII. No. 25.] LONDON, SATURDAY, JUNE 23, 1810. [Price 1s.

SUMMARY OF POLITICS.

MRS. CLARKE.——This lady has, at last, after long menacing, published her book, entitled the RIVAL PRINCES, than which a more flagrant catch-penny never issued from the shop of a low and greedy bookseller. The two Volumes, which are sold at 18*s.* do not contain so much print as *two news-papers;* and, more than one half of the matter consists of the history of the Upholsterer's bill and of the *two trials*, of all of which the public was before in possession.——The objects of the publication are evident enough; namely, 1. To get money; 2. to take vengeance upon Mr. WARDLE, Major DODD, and every other person, with whom the writer felt herself offended.——The first object will, to a certain extent, be accomplished; but the latter certainly will not, the *falsehood* as well as *malice* of the writer being visible in every page.——*My* name is introduced into this work; and, when I have remarked upon the assertions connected with it, the readers of the Register will, at any rate, be able to form a pretty tolerably correct opinion as to how far the bare word of MRS. CLARKE, unsupported by other evidence, is to be relied upon. ——She says of me, that I became the *determined foe* of the Duke of York because *he refused* to dine with me, in a party which was to have taken place at her house. She tells a long story about the invitation and about putting it off, and about explanations, not *one word* of all which is true.——In this, as in other cases, she lays hold of a *single fact*, perfectly insignificant in itself, perhaps, and upon it she builds her romantic story.—— The truth, as relating to this matter, is, that Mr. ROBERT KNIGHT, at whose house I was dining, with Mr. Wm. Scott and others, in *the winter of* 1806, asked me if I had any objection to dine with him at Mrs. Clarke's, whom he spoke of as a very pretty woman in Gloucester Place, and this was the first time I had ever heard of her. After he had explained to me *who* and *what* she was, I agreed, at the end of much entreaty, to be of the party, if Mr. Wm. Scott would. Mr. Scott agreed; but, before the day came, Mr. Scott being at my house (then at Parson's Green), I begged of him, in consequence of *my wife's objection* to my dining at such a place, to tell Mr. Knight, that I declined going.——So that all the whole story about the "*cards* of invitation," and about her "putting the party off," and my being "*disappointed*" and "*angry*" on this account; all this is *pure invention*, as Mr. Wm. Scott would, I am certain, at any time, testify, if it were necessary.——She further says, that an "*explanation*" of this took place, when I saw her at Westbourne Place, last year. So it did; but here there is a want of memory equal to the force of imagination so visible elsewhere; for, at the time and place here mentioned, she *reproached* me with not having dined with her in Gloucester Place, and I defended myself by telling her what was the real impediment, whereupon she observed, that, if that was the case, I should have some indulgence for *others* who submitted to *petticoat government*.——As she appeals to my Lord Folkestone, who was present at this interview, it is certainly her memory must have failed her; for, she would hardly have knowingly and uselessly exposed herself to the certain contempt of even one person.—— It is a very just remark, that those who make free with facts should have *good memories;* and this is particularly necessary, when *time* and *place* are of any consequence. Mrs. Clarke says, that my *hostility*, as she calls it, to the Duke of York, arose from the Duke's *refusal* to dine with me. Now, in the first place, how was I to *know* of this refusal? She does not pretend, that she ever had any intercourse with me in her life. How, therefore, was I to know of the Duke's refusal? But, it is useless to reason about what is, by *undeniable facts*, proved to be false. By *referring to the Volumes of the Register*, it will be perceived, that the far greater part of my writings *against the Duke of York* took place in 1804 and 1805; whereas the invitation to dine with Mrs. Clarke took place *late in the month of February*, 1806. These dates it is impossible for her to explain away. They con-

tain proof positive, *complete proof*, that what she says about my motives in attacking the Duke of York *is false*; and, it is very fair for me to conclude, as in sincerity I do believe, that what she says about the *motives of others* is equally false. In other cases the *proof* may be more difficult to come at; but, I think, that it is very fair to consider this as a criterion of her veracity; and that, as I said from the first, in the case of the Duke of York, that *her evidence alone, unsupported by any other*, ought not to be taken, especially when given against any one, on whom she manifestly thirsted for revenge, as was the case during the investigation, and as is equally the case now. She has changed her objects; but her vindictiveness is not less active now against Mr. Wardle, Major Hodd, Sir Richard Phillips and others, than it was against the Duke of York —— Another of her *statements of motives* will, I think, satisfy the reader as to her correctness in this way.——That, when I went to see her, along with Lord Folkestone, in Westbourne Place (I never saw her but that time in my life), I said very civil things to her, *because* she was *then* the *key-stone of Mr. Wardle's fame*. She says, that it was "*During the Investigation*" that Lord Folkestone took me to see her; and that, then, *while she was of so much use against the Duke of York*, and the *key-stone of Mr. Wardle's fame*; it was *then*, and for *that cause*, that I praised her; and that I have abused her since I found that she was no longer doing what she was *then* doing.——Here again she is overset by *dates*. She should keep a journal; or, she should endeavour to *strengthen her memory*. Is there no patent medicine for impotence in the recollecting faculties?—— This is a very plausible story of hers, and all hangs together very nicely, 'till the reader is told, that the day, on which Lord Folkestone took me to see Mrs. Clarke (I never saw her but once) was *the third day of June*, 1809, almost *three months after the Investigation was end'd*; above a fortnight (as will be seen by her own letter, p. 103, Vol. II.) after she had *come to an open rupture with Mr. Wardle*; and two days *after Wright, her Upholsterer, had made his demand upon Mr. Wardle*.——And yet, observe, she positively asserts, that it was *during the investigation* and *while she was serving the views of Col. Wardle*, that I went to see her and to say civil things to her! ——I never was in *London*, during the Investigation. I was not in London, that year, 'till the 2nd day of June. So that here again is proof positive, proof the most complete, of *falsehood*, proceeding either from a deliberately wicked mind, or from a total want of memory. Be it which it may, it shews that her *bare* word is worth nothing at all. And, then, observe, that, in the whole of the book, there is nothing alledged against *any body*, where the allegation does not *rest solely upon her bare word*; for, as to the letter of my Lord Folkestone, it contains *opinions* merely, which opinions are *conditional*, the condition being, that what *she had said was true*; and, I am satisfied, that his lordship has now found it to have been as false as these her assertions relating to me.——I think, that this might suffice; but I will give one more instance. It relates to the *brief* in the trial of the action brought by Wright.——She says: "Mr. Cobbett "having got wind of the impending dan- "ger of his friend's popularity, *made some* "*inquiries* upon the subject, and hearing, "*through Mr. Waithman*, that he had seen "the Colonel's Brief, which evinced an "unspotted case, he gave him his assurance "of support in his Weekly Register, but "expressed a desire to see a fair copy of "it, which Mr. Corfield immediately pre- "pared *with all necessary omissions*, and "Wardle sent it off to Botley. Cobbett "and Waithman being impressed with a "belief that this Brief contained the *whole* "transaction, and it in no way impeached "the character of their friend Wardle, as "a *gentleman*, and a *man of honour*, they "*predicted the most favourable result* to his "cause.——As the trial approached, and "as Colonel Wardle's fears gradually made "him *unfold* circumstances that were not "touched upon in the briefs, *which* had "been *prepared expressly to preserve his cha-* "*racter with Cobbett and Waithman*, Mr. "Corfield began to see a little more into "the real situation of his client, and ad- "vised accordingly."——One would hardly think it possible, that any person in the world could sit down and pen such a string of falsehoods. Yet, I solemnly declare, 1. that, so far from making any inquiries about Wright's action, I never heard of it, as far as I recollect, 'till I saw an account of the trial; 2. that Mr. Waithman never wrote to me, or spoke to me, upon the subject in his life; 3. that I never expressed any desire to see the brief; 4. that, the copy of the brief which was sent me (and that not 'till *after the trial*) was a copy, which had been *in court*

and that contained the notes *in the hand writing of the counsel.*——These are specimens of Mrs. Clarke's *veracity*. In fact, the whole book, with the exceptions of here and there a fact, is *a romance*; a thing of pure invention. Here and there a *fact* has been laid hold of, such, for instance, as *my having been at Westbourne Place with Lord Folkestone*; that is true; but all the circumstances engrafted on it are false, though stated with so much confidence. And, why should not this be the case with regard to those stories, which are related of others, and which, indeed, have the word *false* written upon their front? ——The stories about *a mistress* kept by Mr. Wardle, and another visited by Major Dodd, are, I am satisfied, wholly groundless.——As to the DUKE OF KENT, there is not, in this book, *the glimpse of a proof* that he had, either directly or indirectly, any hand at all in stirring the inquiries against the Duke of York. Here are letters from all sorts of persons; but, under the hand of no one, except that of Mrs. Clarke, do you see any thing relating, in the most distant manner, to the Duke of Kent. This accusation against the Duke of Kent has been *hatched*, like all the other accusations. It rests solely upon Mrs. Clarke's word; her *bare* word; which is, indeed, now become bare enough.——I have read this book through with great attention; and I do not find, that, except as far as Mrs. Clarke's *mere assertion* goes, it contains any thing that can, in any sound mind, injure *any body*; and, as to the chief objects of her malice, Messrs. Wardle and Dodd, not a shadow of proof is there, that either of them ever did or said any thing dishonourable; nay, any thing at all improper, or unbecoming them. ——It has been asked, by some persons: "How can you account for this "active and eager interference of Major "Dodd, *unless you suppose, that the Duke of "Kent set him on?*"——There may, indeed, exist a *doubt* upon this point; a *suspicion* may exist; but, surely, here is *no proof*. Great men, in general, ridicule the idea of making them responsible for what their secretaries do, *even in their offices*; and, where, then, is the justice of making the Duke of Kent answerable for what his Secretary did *out of his office, and out of his house?* I have known something of Mr. Dodd for *ten years* past; and I should suppose him to have followed the dictates of his *own mind* in co-operating with Mr. Wardle. At any rate, there is *no proof*, nor the semblance of proof, to the contrary; and yet, it is stated, in the public prints, that Mr. Dodd's brother officers, that is to say the *officers of Artillery*, have made a declaration, that they *will not associate with him*, and this upon the ground of Mrs. Clarke's charges against him. The least offensive part of this declaration is its injustice, though that is offensive enough. But, the *baseness* of it is beyond all description. What, then! They thought Mr. Dodd was *down*, did they? They, at least, saw him marked out, and closely pursued; and, like the herd in the forest, they not only declined to defend him; but actually pitched on him in a body. I should hope, that this report is not true. I have witnessed a great deal of baseness in my time; but, I do not know that I ever even *heard* of any thing quite so base as this, especially when the *profession* of these persons is taken into view.——There has been much talk about the Letter of Lord Folkestone, as if it was, at least, a proof of great *folly*. I see, for my part, no such proof in it. I would not have written to Mrs. Clarke; but, what would have been very foolish in a man, situated as I am, might be very natural in a man situated as Lord Folkestone is. It was a letter written without much thought; but, I believe, that if the kept women, the strumpets of fashion, could all be induced to publish their correspondences, there would appear a hundred letters more foolish for one less foolish than this.——The use, which Mrs. Clarke makes, or would make, of this letter, is a clear proof of her want of foundation for any charges against the Duke of Kent, Mr. Wardle and Mr. Dodd; for what does the letter of Lord Folkestone contain, with regard to them? Why, an expression of *bad opinion*; but, then, that *bad opinion* is expressly grounded *upon what she had told him!* The letter does, in fact, contain nothing more than conclusions *drawn from premises furnished by herself*; and she has the impudence to publish these conclusions *as corroborating the truth of those premises.*—— Lord Folkestone has now *publicly* retracted the *bad opinion*, as he did privately long ago; and Mrs. Clarke expresses her curiosity to know what it is that can have altered his lordship's opinion. *Only* the finding that it was *founded upon her false assertions*; that is all. He obtained, so early as about Christmas last, complete proof that what she had told him

was false; and, like a just and honourable man, he immediately told Mr. Wardle, that he had imbibed opinions injurious to him, and had expressed himself accordingly. He did not recollect what he had, at the same time, said about Mr. Dodd; if he had recollected it, he would have made mention of that also.——The letter of Lord Folkestone, taken together with the retractation, are, in fact, the strongest presumptive proofs of the *falshood* of Mrs. Clarke; and, indeed, if any thing could now be wanting to convince the public, that all the calumnies, of every sort, issued by her and her associates against Mr. Wardle, have had their origin in a most foul and infamous *Conspiracy*, these documents must produce that conviction.

Scarcity of Corn. —— Since I mentioned this subject before, I have seen more and heard more, relative to it; and, every thing that I have seen, or heard, tends to confirm me in the opinion, that the crop of wheat will be short beyond all example. I still think, that it will not be *half* so great as the last year's crop; and, I should not at all wonder to see it forty or fifty pounds *a load* (40 bushels), even though Buonaparté should suffer us to get all we can from the continent of Europe; and, if he should put a stop to all exportation of corn, the price must be enormous, and the consequences may be fatal.—— The short crop of *grass* will greatly add to the calamity; for the scarcity of hay must necessarily compel people to keep horses more upon *oats*, and that will cause another diminution in the food of man. From the long-continued drought, there is a likelihood that fodder will be scarce. Cattle are every where selling at reduced prices. Every one seems to wish to get rid of *mouths*. The consequence of this will be, that meat will be comparatively cheap for a little while, and, in winter, excessively dear. It is nonsense to say, that the wheat has mended. It cannot mend, where there is *none upon the ground*; and that is so generally the case as to make the prospect truly alarming.——Some people comfort themselves with the prospect of great importations *from America*. America never did, and never can, give us any very large supply; and besides, wheat is now *ten shillings a bushel* in America, and, of course, it could not reach us under about *forty pounds a load*. So that, at *this moment*, wheat, brought from America, must, in order to answer the purpose of the importer, be sold much dearer than wheat is now selling here.—From America, then, nothing of any consequence can be expected; and the only question is, whether Buonaparté will, or will not, permit corn to be sent from the *Baltic* to England; if the former, the price may, possibly, be kept a little down; but, if he does not permit us to get corn from the Baltic, my sincere opinion is, that wheat will be *30 shillings a bushel*, and the *quartern loaf half a crown*, before Christmas; and, certainly, that, let what will take place as to importation, meat will be exceedingly dear.——"Forewarned, forearmed," they say; but, the only *arming* that can avail us in a case like this is that of *patience*. For, as to "*substitutes*," and making *coarse flour*, and the like, they are of no use at all. The evil is *a deficiency in the quantity of food*, taking all sorts together; and for this there is really no other remedy than that of *doing with less food than usual*, until a more abundant supply can be obtained.

☞ In my next, I shall give some account of the *Trial*. Why I do not give it here, shall then be stated.

Wm. COBBETT.

London, 22d June, 1810.

COBBETT'S
Parliamentary Debates:

The Fifteenth Volume of the above Work is in the Press, and will be published with all proper dispatch. All Communications will be carefully attended to; but it is particularly requested that they may be forwarded as early as possible.

King's Speech at the Prorogation.

On Thursday, the 21st of June, the Parliament was prorogued with the following Speech, by Commission:

My Lords and Gentlemen; His Majesty has commanded us to acquaint you, that, as the public business is now concluded, he thinks it proper to put an end to the present Session of Parliament.—We are commanded by his Majesty to express the satisfaction he derived from the reduction of the Island of Guadaloupe by his Majesty's arms, an event which, for the first time in the history of the wars of Great Britain, has wrested from France all her possessions in that quarter of the world; and which, together with the subsequent capture of the only colonies in

the West Indies which remained in the possession of the Dutch, has deprived his Majesty's enemies of every port in those seas, from which the interests of his Majesty, or the commerce of his subjects, can be molested.

Gentlemen of the House of Commons; His Majesty has commanded us to thank you for the liberal and ample supplies which you have granted for the services of the present year.—His Majesty deeply regrets the necessary extent of the demands which those services have created; but we are commanded to express to you the consolation which he has derived from observing that the resources of the country, manifesting themselves by every mark of prosperity, by a revenue increasing in almost all its branches, and by a commerce extending itself in new channels, and with an increased vigour in proportion as the enemy has in vain attempted to destroy it, have enabled you to provide for the expences of the year without imposing the burden of any new taxation in Great Britain; and that, while the taxes which have been necessarily resorted to for Ireland have been imposed upon articles which will not interfere with the growing prosperity of that country, you have found it consistent with a due regard to its finances to diminish some of those burdens, and relax some of those regulations of revenue which had been felt the most inconvenient in that part of the United Kingdom.—His Majesty further commands us to return you his thanks for the provision which you have enabled him to make for the establishment of his Serene Highness the Duke of Brunswick.

My Lords and Gentlemen; His Majesty has directed us to acquaint you, that Portugal, rescued from the oppression of the enemy, by the powerful assistance of his Majesty's arms, has exerted herself with vigour and energy in making every preparation for repelling, with the continued aid of his Majesty's forces, any renewed attack on the part of the enemy: and that in Spain, notwithstanding the reverses which have been experienced, the spirit of resistance against France still continues unsubdued and unabated: And his Majesty commands us to assure you of his firm and unaltered conviction, that not only the honour of his Throne, but the best interests of his dominions, require his most strenuous and persevering assistance to the glorious efforts of those loyal nations.—His Majesty has commanded us to recommend to you, upon your return to your respective counties, to use your best exertions to promote that spirit of order and obedience to the laws, and that general concord amongst all classes of his Majesty's subjects, which can alone give full effect to his Majesty's paternal care for the welfare and happiness of his people. His Majesty has the fullest reliance upon the affections of his subjects, whose loyalty and attachment have hitherto supported him through that long and eventful period, during which it has pleased Divine Providence to commit the interests of these Dominions to his charge. His Majesty feels that the preservation of domestic peace and tranquillity, under the protection of the Law, and in obedience to its authority, is amongst the most important duties which he owes to his people.—His Majesty commands us to assure you that he will not be wanting in the discharge of that duty; and his Majesty will always rely with confidence on the continued support of his loyal subjects, to enable him to resist with success the designs of foreign enemies, and to transmit unimpaired to posterity the blessings of the British Constitution.

RESOLUTIONS, PETITIONS, REMONSTRANCES, *&c. on the* LIBERTY OF THE SUBJECT *and* PARLIAMENTARY REFORM, 1810.

(Continued from p. 928.)

LIVERPOOL PETITION, *concluded.*

And that Sir Francis Burdett, Bart. also a Member of your hon. House, having in a Letter to his Constituents, on the committal of John Gale Jones, questioned the right of your honourable House to commit any one, not being a Member of the same, for an offence cognizable by the laws of the land, has, for the publishing of the above-mentioned Letter, been himself committed a prisoner to the Tower.—Your Petitioners further beg leave to state, that, reflecting upon the long continued impunity of the authors of national disasters, and also upon the impunity of lord Castlereagh, and the vindication of Parliamentary Corruption, as compared with the proceedings lately adopted against Sir Francis Burdett, they are greatly apprehensive that an opinion may go abroad among the people at large, that a zealous maintenance of the liberty of the subject is a more flagrant offence in the eyes of your honourable House, than the wanton

destruction, by rashness and imbecility, of thousands of his Majesty's gallant soldiers and seamen, the profuse expenditure of the public resources, or the corruption of the representation of the people.—Your Petitioners, abstaining from animadversions on matters which will, in all probability, become the subjects of legal investigation, humbly state to your honourable House, that, considering the premises, and being anxiously desirous that the true dignity of your honourable House should be maintained, they do strongly, but respectfully press upon the consideration of your honourable House the necessity of a Reform in the Commons' House of Parliament, which may ensure the purity and integrity of your honourable House, and above all the responsibility of Ministers.—And they further beg leave to submit to the wisdom of your honourable House, the expediency of summoning Sir Francis Burdett, to assist in the deliberations which must necessarily take place on this momentous subject—and also of performing, what your Petitioners cannot but consider as an act of justice, by the liberation of John Gale Jones from imprisonment.

NOTTINGHAM RESOLUTIONS.

[The 8th Resolution was, by mistake, omitted at page 923; and is as follows.]

8. That the pledge which we demand is, that they do not sacrifice the Liberties of the people to their own undefined Privileges, and use constant and unceasing exertions to obtain a thorough Reform in the Commons' House of Parliament. To this we look as necessary to the security of our Liberties, to the salvation of our Country. If the House of Commons be not the Representative of the People, but of Peers—Where is the People's Voice to be heard; where is their cause to be pleaded? When the House of Commons shall truly represent the People, the Privileges of the Commons and the Liberties of the People will be one.—They will then ensure at once our respect, our confidence, and our firm and united support.

To SIR FRANCIS BURDETT. *The* ADDRESS *of the* ELECTORS *and* INHABITANTS *of the* TOWN *of* NOTTINGHAM, *in full Meeting assembled.*

Sir; In a period of general Depravity and Corruption, when all Classes are more or less the slaves of Licentiousness and Vice, and from some, Virtue seems almost to have taken her flight, when Private Interest almost universally predominates over the Public Good, it requires no common degree of Firmness and Integrity to stand forth, and oppose the impetuous Torrent—In such circumstances, the man is rarely to be found, who can at once resist the Temptations of Wealth and Power, despise the Taunts and Ridicule of those who have sacrificed Conscience at the shrine of Interest, brave the Threats of those who strive to crush all Opposition with the iron hand of Power, smile at the Frown of Adversity, and remain undaunted at the sight of the walls of a Prison. But rare as is the discovery, we are willing to hope and believe that the People of England have found such a man in You.

In this dearth of Public Virtue, labouring under repeated Disappointments, though not yet sunk into despair, we naturally become cautious in giving full credit to any man, until his integrity has been tried, and we have reason to believe that his Private Conduct corresponds with his Public Professions. From what we have been able to learn of your Private Life, the Duties of the several Relations in which you stand to Society, whether as Landlord, Husband, Father or Friend, have been properly fulfilled. With the greater confidence, therefore, we have looked for a faithful Discharge of your Public Duties, nor have our Expectations been hitherto disappointed. When by what is generally deemed a trifling sacrifice of Principle, you might have basked in the sun shine of Prosperity, you have chosen to weather the Storms of Adversity, folded in the Mantle of Integrity.

At one time the object of general odium, insulted by an infatuated and misguided People, you shrunk not from the Field of Duty to seek Popular Applause. But at length, in a great measure through your instrumentality, the eyes of the People are opened, their Burdens have made them feel, and their feelings have enlightened their understandings. They now see their real friends, and are ready to offer their Tribute of Gratitude to you. For your recent conduct, for your firm stand in defence of the Liberties and Rights of Britons accept our unqualified Thanks. But gratifying as the expression of the Approbation of your Fellow-subjects must necessarily be to your Feelings, we

trust that you possess a much higher source of gratification in the Approbation of your own Conscience. Go on, Sir, in your honourable career. No effort is lost. Let us not in this instance suffer disappointment. So shall the virtuous part of your Fellow-subjects revere and love you, and the Blessing of him that was ready to perish, shall come upon you.

THE CHRISTIANS' PETITION,

Presented to the House of Commons by Samuel Whitbread, Esq. on Friday, June 8th, 1810.

To the Honourable the Commons of this United Kingdom in Parliament assembled, The humble Petition of the undersigned Christians in behalf of themselves, and others who agree with them in considering absolute liberty of conscience respecting religion to be the unalienable right of all men,

Sheweth; That it is the duty of all men, to examine as diligently as may be in their power the doctrines of religion; and after such diligent examination, to adopt and to profess what may appear to them to be the truth; and that in the performance of that duty men ought not to be obstructed or discouraged, or otherwise tempted to act hypocritically by any law, tending to bias them in the course of such examination of the doctrines of religion, by subjecting them in the case of their dissenting from the doctrine of any established Church, to suffer death by burning or otherwise; or to suffer any corporal or pecuniary punishment, or be injured in their reputation by any disability more or less disgraceful.

That your Petitioners acknowledge with high satisfaction, that in the present reign considerable progress has been made towards the full restoration of the rights of conscience by the wisdom of Parliament and the benignity of the King, rescinding various laws in whole or in part which were violations of those rights: yet since other Penal Laws not less injurious to those rights remain unrepealed, since some of these laws subject to corporal punishments or pecuniary penalties; others, as in the case of the Test Laws passed in the reign of Charles IId. subject to disgrace, disability and privation of civil rights, persons whose only offence it is, that in conformity with their duty, they have examined the doctrines of religion, and by such examination have been induced to embrace and to profess religious opinions different from the doctrines of the established Church; your Petitioners feel it to be their duty humbly, but earnestly to remonstrate against the longer continuance of any of these intolerant laws; and they do in conformity with the premises expressly petition this Honourable House, that every such unjust law may be repealed, and the rights of conscience may thus be restored to all the subjects of this united kingdom; at the same time they declare to this Honourable House, that if the legislature of our country should not feel themselves convinced, as your Petitioners do, that every trace of intolerance ought to be immediately expunged from our statutes, yet if the repeal or modification of any of our intolerant laws should now take place, particularly if the Test Laws, as far as they affect our military force by sea and land, should now be repealed, your Petitioners would view with sincere gratitude any such measure, as a still farther advance towards the complete restoration of the rights of conscience, and at this crisis would consider it as having a salutary tendency to allay religious animosities, and to unite the great mass of the community, in a zealous defence of the empire against the meditated attack of our gigantic and all-grasping enemy. And your Petitioners shall ever pray.

To the Christians' Petition for liberty of conscience the signatures annexed, by Roman Catholics, members of the Church of England and Protestant Dissenter which are contained in sixteen duplicates, amount to, viz —

	Names.
In the duplicate from Sheffield	73
In that from Richmond	68
Newcastle	40
Hull	49
Leeds	156
Derby	183
Loughborough	60
York and Wakefield	29
Stockton	40
Nottingham	190
London	117
Exeter	109
Taunton	84
Gloucester	62
Birmingham	130
Norwich	170
The total amount of 16 duplicates	1,560

N. B. A Duplicate from Manchester containing 93 signatures, on account of informality, has been kept back.

THE DUKE OF KENT.

The Duke of Kent having seen a recent publication, entitled "The Rival Princes," in which he is charged with having sanctioned and encouraged the adoption and prosecution of measures tending to the manifest injury of a brother's honour and interests, it is impossible that he should not feel anxious to counteract immediately the impression which must dwell with the country, while such foul and unmerited aspersions remain unnoticed. To remove, therefore, from his character that stigma which would justly attach to it, if it were not in his power to prove that there has not at any time existed the smallest foundation for a charge, at the very idea of which every honest man must recoil with horror and indignation, the Duke of Kent has determined to lay before the public the following Declaration, which was made and committed to paper by Captain Dodd, on the 26th day of July last, in the presence of the Earl of Harrington and Colonel Vesey, and which was delivered to him, to be used at his discretion. At that period the Duke was induced to require this Declaration, with a view to his own satisfaction, in consequence of various reports and insinuations which have gained circulation. The communication of it was consequently confined to his own family, and to some of his friends; and he had flattered himself that it would be unnecessary to make any appeal to the public, on a matter which affected himself exclusively: nor is it without sincere concern, that he now finds himself under the necessity of entering thus publicly into a vindication of his conduct. He is, however, confident that every liberal mind will give him credit for taking a step which he feels to be due to his character, to the honour and dignity of his family, and which marks his anxiety to stand well with the country in general.

QUERIES *put to Captain Dodd, by his Royal Highness the Duke of Kent, and his Answers thereto, 26th July* 1809.

Q. Have I, either directly or indirectly, sanctioned, advised, or encouraged, any attack upon the Duke of York?—A. Never. (Signed T. Dodd.)

Q. Have I had, to your knowledge, any acquaintance or communication with Colonel Wardle, or any of the persons concerned in bringing forward the Investigation respecting the Duke of York's conduct, which took place in Parliament last winter, either direct or indirect?—A. I feel confident that your Royal Highness has no such knowledge or acquaintance. (Signed T. Dodd.)

Q. Have I, to your knowledge, ever had any acquaintance with, or knowledge of, Mrs. Clarke, or any communication with her, direct or indirect, upon the subject above-named, or any other?—A. I am confident your Royal Highness never had. (Signed T. Dodd.)

Q. Have I ever expressed to you any sentiment which could induce you to believe that I approved of what was brought forward in Parliament against the Duke of York, or any proceeding that would tend to his obloquy or disgrace?—A. Never. I have heard your Royal Highness lament the business, *viva voce*, and you made the same communication to me in writing. (Signed T. Dodd.)

Q. Have you ever, to your recollection, expressed yourself, either by word or in writing, either to Colonel Wardle or Mrs. Clarke, or to any other person, connected with the investigation on the Duke of York's conduct, in any way that could give them reason to suppose that I approved of the measure, or would countenance those concerned in bringing it forward?—A. Never. But I have, on the contrary, expressed myself, that your Royal Highness would have a very different feeling. (Signed T. Dodd.)

Q. What were my expressions on the subject of the Pamphlet which appeared, passing censure on the conduct of the Duke of York, and others of my family, and holding up my character to praise; and what have been the sentiments which I have uniformly expressed on similar publications, whether in the newspapers or otherwise?—A. I have invariably heard your Royal Highness regret, that any person should attempt to do justice to your own character, at the expence of that of the Duke of York, or any other member of your Family—(Signed T. Dodd.)

Q. During the ten years you have been my private Secretary, when, in the most confidential moments I have given vent to my wounded feelings, upon professional subjects, did you ever hear me express myself inimical to the Duke of York, or that I entertained an expectation of raising myself by his fall?—A. Never; on the contrary, I have frequently heard your Royal Highness express yourself very differently. (T. Dodd.)

The above Questions, written in Colonel Vesey's hand, were all dictated by me,

(Signed) EDWARD.

In the presence of Lord Harrington.

(Signed) HARRINGTON.
J. A. VESEY.

JEFFERY, THE SEAMAN.

The following deposition is said to have been received by Government:—

DEPOSITION.

"This is to certify, that personally appeared before me, John Dennis, Master of the American schooner, Adams, belonging to Marblehead, in the State of Massachusetts, and voluntarily made oath, that in the month of December, 1807, he did whilst passing the island of Sombrero, in the Sombrero Passage, in the West Indies, discover from his vessel a man waving his hand on the said island, whereupon the said deponent hove his vessel to, and sent his boat on shore with the mate, who found a man on the said island extremely reduced and exhausted, so as not to be able to speak. That the man having been brought on board the schooner, and somewhat recovered, declared that his name was Robert Jeffery, a seaman, belonging to his Majesty's brig of war Recruit, commanded by Capt. Warwick Lake, and that he had been eight days on the said island. —This deponent further said, that the said Robert Jeffery became quite recovered, and went to Beverley, where he resided, working at his trade of a blacksmith when deponent last saw him. JOHN DENNIS.

Sworn before me, at Corunna, 19th May 1810. J. L. MANIAC, Vice-Cons.

Done in the presence of Geo Digby, Captain of his Majesty's ship Cossack, and Geo. White, Assistant Commissary.

(A true Copy) GEO. DIGBY.

ON THE NATURE AND EXTENT OF PRIVILEGE OF PARLIAMENT; *on Constitutional Principles.*

I own that to me, from the vast importance of the subject to the whole community, it did not appear improbable that some Member of the House of Commons would have moved for leave to bring in a Bill, which might have further prevented Public Inconvenience, from the indefinite nature of the claim of Privilege of Parliament. The great benefit of known Laws is immediately and generally obvious. Indeed, I know not how to give the denomination of law to that which is not, and which cannot be made generally certain, and upon which Lawyers themselves have no rules and principles enabling them to answer. The only reasons for leaving the claim indefinite, which I have observed to be advanced, either now or formerly, have been the necessity for Parliament and for the people, that the Privilege should be independent of any exterior judicial interpretation; and that the power of an assembly which, by its constitutional function is protective of the Rights and Liberties of the Community, should act of itself, and its own inherent energies, without awaiting the judgment of any other jurisdiction within a certain extent, which I have admitted and stated from the first; I think this principle is clear, necessary and certain; that of interfering in cases of direct contempt, or, in other words, to remove obstructions to its proceedings. Beyond this, with the utmost attention to the arguments before or since advanced, and with a desire of finding arguments, if any should appear to me to be justly imaginable, being not solicitous for victory but for truth, I can find nothing.

The greatest, wisest, and most virtuous assembly upon earth may be libelled; and I know not any greater, wiser, or more virtuous, than the House of Commons, according to the Constitution, is capable of being, and has been. But were it libelled, when such, and for being such, I do not think it would condescend to bring the libeller to trial: But that rather, it would leave him to his conscience and the pressure of public sentiment. It would lose nothing of the order, dignity, and constitutional efficacy of its proceedings, however libelled.

If either House could want this Privilege as a shield against possible violations of its Rights, either by the Crown or the other House, that would be an argument for its existence and for its exercise: But it is not in the nature of a shield, an exemption from injury—a severity necessary to its constitutional functions, which are the proper characteristics of a Public Privilege. It is, as properly has been said, a power; which has no definite limits: which claims to be without any but the pleasure of that body by which it is employed;—to be unaffectable, unexaminable; subject, in case of its being misapplied, to no compensation, redress, or remedy; unlimited by rules of judicial inquiry, or judicial sentence, not only

positive, but such as appear most immediately to result from natural right of reason. Can such a power be necessary or expedient to be exercised by any assembly? Can it be requisite for the maintenance of their just and constitutional authority; or to enable them to protect the rights and liberties of the community? And if it be not, ought they not to restrict it within those limits of just and clear necessity within which it would be so?

One of the greatest and most peculiar powers of the House of Commons is the power of impeachment; yet in this great and awful power it inquires, it accuses in the name and behalf of the whole community of the realm; but it does not try, judge or punish.

It is fit and constitutional that it should have powers which no other assembly has; but it is neither for its dignity, nor the public benefit, that it should exercise powers which many other assemblies have, and have, at the same time, better means of executing them for the attainment of public justice. For this purpose, there are tribunals by the Law and Constitution prescribed and appropriate; where the forms of proceeding, the means and the settled habit of investigation, and their general exemption from all interest on one side or the other, are manifestly most suited to the end.

It is fit that it should be respected; but it is fit that the People, its Constituent, whenever it exists rightly and according to the Constitution, should be respected also. It is fit that the opinions, the reasons, the feelings of the People, how far soever from pleasing may be the subject, should have the most free access to that great assembly: which, popular in its name, popular in its origin, popular by the very object and peculiar end of its constitution, must be estranged from its most essential character, if at any time it be unmindful of popular rights and interests. It is always in its choice to secure all its necessary and essential privileges from disturbance; but there is no privilege so essential to it—none so dignified, as that of being felt to be the Representative of the People. It cannot be the interest of the People, or its own true and permanent interest, that the House of Commons should be censurers and punishers for publications supposed to be libels on itself. If any are supposed to be so, there is no instance in which all the principles, rules and resolutions of Judicial Courts, solely occupied in legal investigation, can be more necessary. Of a Representative and Legislative Assembly, the glory to which a situation, pre-eminent as theirs, offers to them is, to soar above all thought of libel, real or supposed, and to be entirely occupied in great and public councils—to avail itself of truth, in whatever form; and of free and valuable suggestions from all quarters—regardless whether the manner be soothing in which they are conveyed.

If I thought, that to commit on charges of supposed libel, and in the manner and to the extent in which alone that power can be exercised by the forms of the House and the nature of its Constitution, could be necessary to the House; could be beneficial, or even safe, to the public, and not most dangerous to both, I would say so. But I can see no reason advanced in support of that opinion; I can imagine no reason that seems to me capable of sustaining such a conclusion. I remain, therefore, in the wish, I can hardly say the hope, that the House itself may discover the propriety, the dignity, the necessity of limiting a power, the exercise of which is not only faintly expressed by being termed inconvenient, but would be faintly characterized by much stronger language. If, as having no constituted superior, it should think all things lawful to it, this cannot be forgotten, that all are not expedient. And in a constitutional sense, general and permanent knowledge of public expediency is the measure and criterion of constitutional law. CAPEL LOFFT.

Troston Hall, near Bury, Suffolk,
11th May, 1810.

CAPTAIN FOSKETT.

To the Honourable the House of Commons, in Parliament assembled.—The Humble PETITION of Henry Foskett, Captain in the 15th Regiment of Light Dragoons;

Sheweth;

That your Petitioner has been an Officer in the 15th Light Dragoons, above thirteen years, and senior Captain in that Regiment above four years. That, during the last mentioned space of time, he has, in various ways, been made to suffer, from his Colonel, his Royal Highness the Duke of Cumberland, the most injurious treatment, amounting to no less than a course of

systematic oppression. That, in the year 1800, in a manner contrary to the acknowledged custom and constitution of the army, his Royal Highness endeavoured to promote an Officer of the 15th Light Dragoons, and junior to your Petitioner, in preference to him, to a Majority in the Regiment, which purpose he was prevented from effecting, solely by the interposition of his Royal Highness the Duke of York, at that time the Commander in Chief. That your Petitioner having, on the above occasion, solicited a week's leave of absence, in order the more certainly to obtain such interposition, by means of a personal appeal, in support of a Memorial transmitted to the Commander in Chief, he was, for five successive months, most vexatiously refused that indulgence, although he was, at that very time, entitled, under General Orders, to leave of absence for two or three months, and although junior officers were then actually allowed that permission. That your Petitioner, notwithstanding his final success, in thus preventing a junior officer from being raised above him, has, from that time, been unjustly deprived of promotion, in the usual course of his regiment, to the injury not only of your Petitioner, but of all the Captains and Subalterns of the corps, whose promotion has thereby been, and still is, entirely stopped.

That, in the year 1808, when the 15th Light Dragoons was ordered upon foreign service, in Spain, your Petitioner, though Senior Captain, was directed, by his Royal Highness the Duke of Cumberland, to remain at home with the recruiting squadron. That upon complaining to the Commanding Officer of the Regiment, of a management so inconsistent with the established custom of the army, and fraught with such extreme hardship to your Petitioner, he (the Commanding Officer) disdaining all participation in the transaction, referred your Petitioner's complaint officially to his Royal Highness the Duke of Cumberland, by whom it was dismissed, and who declared the arrangement to be unalterable.

That your Petitioner thereupon thought himself bound to solicit the interference of the Commander in Chief, when the Duke of Cumberland, in explanation of his own conduct, permitted himself to cast on your Petitioner's character the most injurious aspersions, which, notwithstanding the authority from whence they came, were soon proved to be utterly unfounded; as the Commander in Chief, though at first induced by them to sanction the arrangement of which they were the assigned cause, yet, upon further remonstrance on the part of your Petitioner, and on further consideration of the case, his Royal Highness was graciously pleased to revoke his consent to the arrangement in question, and to direct that a Captain should be sent home from the Regiment in Spain, upon whose arrival the Petitioner was to be at liberty to join; a permission, however, of which, gracious and acceptable as it was, your Petitioner was not able to take advantage, as the regiment soon afterwards returned home; and thus your Petitioner was oppressively made to sustain the irreparable loss of an opportunity, so anxiously desired by every British Officer, of serving his Sovereign and his country, against their foreign enemies.

That your Petitioner having suffered, during so long a time, such heavy and complicated injuries, finding himself shut out from all hopes of advancement in his profession, by the avowed determination of his Commanding Officer (expressed in terms the most injurious) not to recommend him for promotion; and at the same time, rendered an insurmountable obstacle to the advancement of every Officer, junior to himself, in the regiment; having in vain repeatedly and earnestly called for the strictest investigation of his conduct, and declared his readiness, and even his anxiety, to meet any charge that could be brought against him, and perceiving that fresh complaints of ill-treatment only served to subject him to fresh aspersions; your Petitioner saw that he had no chance for redress, but from the justice of the Commander in Chief—That he, therefore, in the month of July, 1809, laid his case before his Excellency, imploring his interference and protection—That this communication was accompanied with testimonials to the undeviating good conduct of your Petitioner, from almost every commanding officer of the regiment, under whom your Petitioner had served; and who must have had far better opportunities of observing his general deportment, than his Royal Highness the Duke of Cumberland.—That while your Petitioner's complaints were before the Commander in Chief his just claims to promotion were again defeated, by the introduction of Officers from other regiments, to fill up the two Majorities of the 15th Light Dra-

goons, which were then vacant:—Then seeing himself thus excluded from all prospect of relief, in the ordinary course, your Petitioner was reduced to the necessity of soliciting, from the Commander-in-Chief, an application in his favour, of the 12th section of the Articles of War, which states that,

"If any Officer shall think himself to be wronged by his Colonel, or the Commanding Officer of the regiment, and shall, upon due application made to him, be refused to be redressed, he may complain to the General Commanding in Chief our forces, in order to obtain justice; who is thereby required to examine into such complaint, and either by himself, or by our Secretary at War, to make his report to us thereupon, in order to receive our farther directions."

That your Petitioner accordingly on the twenty-sixth of September, 1809, addressed a letter to Colonel Gordon, Military Secretary, for the consideration of the Commander in Chief, in which, after briefly recapitulating the injuries, of which he had ineffectually complained, he expressly requested the Commander-in Chief, in conformity with the 12th section of the Articles of War, to examine into the complaints which he had laid before him, and (unless he was graciously pleased to afford him redress) to make his report to his Majesty thereupon. That this request being attended with no other effect than an offer of promotion in a regiment of infantry, which your Petitioner could not accept, consistently either with his own just claims, his wounded feelings, and his aspersed character, or, in the situation in which he was placed, with what was due from him to the army, he has since, in two subsequent letters, explicitly repeated his request, that the Commander-in-Chief would investigate his complaints, and report to his majesty thereupon; to which request he at length received an official answer from the Military Secretary, dated February the 12th, 1810, and couched in the following terms:—

"Sir;—I have not failed to lay before the Commander-in-Chief your letter of the 10th instant, and I am directed to acquaint you, that sir David Dundas does not see sufficient grounds for complying with your request.

(Signed) H. Torrens."

That, by this refusal, on the part of the Commander-in-Chief, to comply with your Petitioner's request, as above stated, unless your Honourable House shall be pleased to afford him relief, he has no means of redress for the wrongs which have been heaped upon him, in his military character; in as much as the 12th section of the Articles of War, afford the only remedy, of which an Officer of the Army, who has been wronged by his Colonel, and by him refused redress, can avail himself; and that, therefore, the denial of justice in your Petitioner's case, by the Commander-in-Chief, in direct violation of the Articles of War, is a most serious injury, not only to your Petitioner but also to the whole Army, by rendering nugatory the only remedy afforded to officers against the acts of their superiors, and by thus depriving them of the inestimable right, so amply secured to every other class of British subjects, that of employing the means provided by the Law and Constitution, for the redress of oppression and injustice.

All which your Petitioner most humbly submits to the consideration of your Honourable House, being ready to verify the same. And he implores your Honourable House, to afford him such relief, as to its wisdom shall seem meet.

And your Petitioner shall ever pray, &c.

(Signed) Henry Foskett,
Capt. 15th Lt. Dragoons.

OFFICIAL PAPERS.

INTERCEPTED CORRESPONDENCE.

Letter *from Napoleon to the Queen of Sicily, upon the occasion of the Union he had contracted with her Niece, the Archduchess Maria Louisa.*

[It was inclosed in a letter from Madam Beuret, dated Paris, the 28th February, to her husband, the Colonel of the 17th regiment of light infantry, in the second division of the second corps of the French army in Spain, and was intercepted by the light parties attached to the army of the left. The original is in the possession of his Excellency the Marquis of Romana, to whom it was delivered.]

Letter from Madame Beuret to her husband.

My dear and good friend!—I have just received a pretty large packet, inclosing a letter for myself, one for M. Clerisif, another for the Mayor of La Riviere, and a fourth for M. De Barthiley. I am very glad that you have written to the last

mentioned, as my papa had just received a letter from him, complaining of your silence, and expressing his fears, that you would imitate your protector, and forget him. He is much attached to you, and will write to you as soon as we have informed him of the number of your corps and division. You say nothing concerning your health; but I conclude that you are completely recovered, from your frequenting the lodges of the freemasons. Mine is good, notwithstanding the cold we experience here. Papa and mama are very well, and Eugene better than any of us. He is continually talking of you, and is the favourite of the family, and the object of our caresses. I shall give the best reception to Mrs. de Bureau, when she arrives. You need not be uneasy, for I will carefully attend to your orders. A number of new battalions are raising for the imperial guard; and all the young men prefer serving in a corps which usually remains in garrison, in Paris, to going to die in Spain. It is said the Emperor sets off for that kingdom on the 20th inst., but there is nothing certain upon this subject. God grant that he may go; for you might, probably, in that case, be placed near his person, and obtain a handsome estate of 5,000 pieces a-year, with the title of Baron! This would be tolerably well, and I assure you that I should be not a little proud of hearing myself styled my Lady Baroness; but for the present I have renounced all hopes, and shall think myself very happy in seeing you once more. The war with Spain is universally pronounced to be an endless contest; for such is the ferocity of its inhabitants, that they would sooner convert the whole of their country into a desert than receive the Emperor's brother! What barbarians those Spaniards are! What a set of cannibals! I hate them implacably, and particularly the friars. You are already apprised of the intended marriage of our Emperor with an Archduchess of Austria. Some think favourably of this match; but the major part are of opinion, that it will prove the ruin of Napoleon. It is said that Josephine already begins to be an object of alarm to the Emperor; and it is confidently rumoured that Russia is on the eve of breaking with us. When will our wars have an end? Our Italian friend, who visits in the Duke of Bassano's family, has given me the inclosed copy of a letter to be forwarded to you, which is certainly a very singular production. It is said that the Queen of Sicily will not accept the proposals of the Emperor, and that a new and sanguinary war is about to commence. I leave you to think with what regret I hear such tidings. Adieu, my esteemed friend! I embrace and love you with my whole heart! Your best and most faithful friend. P. Beuret de Cellerier.

P. S. Mama and Papa, and the whole family, charge me with a thousand things to you. I have not yet received the letter for your pension as a Member of the Legion of Honour.

Copy of a Letter *from his Majesty the Emperor of the French, King of Italy, &c. to her Majesty the Queen of Sicily.*

Madam and Cousin.—The events of the year 1805 interrupted our friendship and harmony. A formidable coalition against France, artfully planned in the cabinet of Mr. Pitt, and masked in an extraordinary manner, had put in motion against my legions, that were posted on the coasts of the ocean, the Russian, German, and Prussian armies. In that critical situation, my duty was to deliver France from the conflict, and to disperse the dreadful storm, or at least to diminish its effects. This I at length accomplished, by bringing Prussia, Wirtemberg, and Bavaria, to a sense of their own interests; and by forming a treaty with King Ferdinand, your Majesty's spouse, in which he engaged not to receive in his kingdom either Russian or English troops. In consequence hereof, my troops evacuated his states. War was declared; and scarcely had my eagles entered Vienna in triumph, when I learned that the Court of Naples had violated the sacred faith of the treaty, and was admitting an army into its very capital.

I instantly knew that the seductive gold of England, opportunely employed by her agent, Acton, had triumphed over the debility of King Ferdinand. The battle of Austerlitz secured to me the happy result of a war unjustly provoked; and France and her allies loudly demanded the destruction of the Dynasty of Naples, which its perjury had covered with disgrace. Placed in this critical situation, and being a Constitutional Monarch, what resource had I left? Your Majesty, who have experienced the arrogance of your subjects, knows, and I ought to know, that we Sovereigns must frequently stifle our own inclinations, from a regard to the in-

terests, and even the prejudices, of the people we govern. Thus was the fate of the House of Naples decided; and it was doomed to lose its kingdom, without any possibility on my part to prevent it! What pangs did this determination cost me! How odious in my eyes were the sceptre and crown, when I found myself compelled to a proceeding so adverse to my own sentiments! Nevertheless, I did not lose sight of the interests of a misled and disgraced dynasty; and when it became impossible for me to re-establish it in Italy, I thought of giving it an equivalent elsewhere. The propositions which I made, from Erfurth, to King George, leave no doubt as to this fact. To the war of Germany, notwithstanding the pacific overtures by Lord Lauderdale, and the announced voyages of the Russian Messenger, Novoziltzoff, immediately succeeded that of Prussia, whose Sovereign would not agree to the moderate proposals which I made him. Instigated and blinded by Russia, and the insinuations and promises of England, he, in a manner, presumed to dictate the law to me, when his situation was such as should have rather prepared him to receive it.—A few days sufficed to convince him of his error; and, notwithstanding his misconduct, my moderation left him in possession of half his states. The peace of Tilsit once more tranquilized Europe; and I should have put an end to the calamities of war, had I not been convinced of the bad faith of the House of Spain, which, though my ally, merely hesitated to declare against me, in consequence of being confounded by the victory of Jena. The scandalous quarrels between the Father and Son, the ambition and sordid conduct of the Prince of the Peace, and the wish of rendering happy, and divesting of its prejudices, a nation of the first rank, made me turn my views upon that kingdom. The Spaniards were dissatisfied with the government of king Charles, and prince Ferdinand, held out to Europe as a traitor by his father, could not ascend a throne, which, since the time of Lewis XIV, has belonged to France. On the other hand, Portugal was an English province; and the parliament of that nation having resolved upon the system of perpetual war, it was necessary to exclude their squadrons from the Continent, before they could have an opportunity of re-committing such an enormity as their attack upon Copenhagen. Impelled by this combination of motives, I sent my troops into those kingdoms, and all the projected changes would have been effected without the least disturbance, had not the Spaniards been led astray by English monoply, and the fanaticism of the monks. The confidence and security which I entertained upon this subject, and the ignorance of some of my generals, occasioned the petty losses I have suffered in that quarter, and which the enemies of order have celebrated in an extraordinary manner. But Europe soon saw what was to have been expected of the Spaniards, and the Junta of Seville, whose measures were totally subverted in the first instance by the battle of Tudela, and subsequently by that of Ocana.

"The crown of Arragon, which retained some attachment to the House of Austria, is the only one that has opposed a regular resistance: and amidst the events that during the last two years have occurred in Spain, those alone which merit any attention are the defences of Saragossa and Gerona, which were owing more to the obstinacy and fanaticism of the monks, than to the valour and discipline of their garrisons. In short, Spain is conquered; and the English have no longer any point of support in it, except Cadiz, and a handful of insurgents headed by the traitor Romana. The forces they have in Portugal merely wait until my troops are in motion, when they will immediately embark; and I am convinced that the Portuguese army will experience a disastrous fate. How characteristic is it of commercial nations to sacrifice their allies! The hearts of the English are metallified; and they act only from the impulse of gain. With them there is neither honour nor faith, nor do they hold any obligation sacred.—They have sacrificed your Majesty's House, Denmark, Sweden, Holland, Austria, Prussia, and latterly, Portugal and Spain. But, at this moment, they have no friends on the Continent; they have lost all their relations with it. I make this representation to your Majesty, to impress you with the truth of my expressions, and the absolute necessity under which I find myself of sacrificing some dynasties. But a new order of things is about to succeed, and every thing will be remedied. France, though friendly to innovation, entertains, nevertheless, great attachment and deference for established usages and customs.

The same people who destroyed the throne did not cease until they re-establish-

ed it with greater pomp and splendour than it had before; and I have found myself under the necessity of creating a Nobility, to which, however, I have given a more convenient form, than that of the ancient order. In like manner, Monarchical France claims and insists upon her rights to those crowns which she formerly possessed, and your Majesty will instantly perceive, that events may occasion a change of Dynasty in France, but not any variation or alteration in her rights or relations. From this motive I have resolved to place the crowns of Spain and Italy on the heads of brothers and relations, who, besides being Princes of my House, conceive that they have contributed to my elevation to the throne. Your Majesty, who are aware that every thing is linked together by immutable laws, will perceive the necessity that has compelled me to adopt this rule. As to what concerns the alterations in the north, I assure your Majesty that I have no particular interest in them. I have merely permitted them with the view of diminishing the power and influence of Russia, which, regarding the other states of Europe as continually divided, and always having different interests, like the republics of Greece in ancient times, may one day become what Macedonia was in respect to them; and the present Alexander, perhaps, subjugate more nations than he who penetrated as far as India. The prejudices of the House of Austria, which has impoliticly exerted itself to sustain the rights of that of Bourbon, have hitherto made me act in opposition to my intentions, so that I have been obliged to temporize with the Czar of the Russians, whose interests are different from mine, and whose inclinations follow the impulse given them by the intrigues and parties in his court. The late war with Austria has enlightened the Emperor Francis with regard to his interest; and I, who am attached to the old system of France, have proposed and obtained an alliance with one of his daughters. It is with the highest satisfaction that I announce to your Majesty this stroke of my policy, which, at the same time that it will confer happiness on the greater part of Europe, will open a way for me to obtain the regard and esteem of your Majesty. I am anxious that this marriage should be represented by your Majesty to Europe to be what it truly is, just, equal, and proper. I, who am faithful to my promises, and powerful to accomplish them, will gratefully repay your Majesty for the interest which you will thus take in the tranquillity of so many nations. The dynasties of Bourbon will all of them be indemnified for their losses. The Princes of the House of Spain will receive their indemnification in countries which have no contact with France, and where their relations cannot be adverse to my dynasty. As to your Majesty's House, I will make every possible exertion in its favour. Master of Spain and Portugal, it will not be difficult for me to take Gibraltar, and I shall then exclude the English from the Mediterranean. They will lose Malta; and in the coast of Africa and Egypt, I shall find colonies superior to those I have lost. France, from its situation, needs no islands; and if your Majesty consider it topographically, you will observe that in reality none belong to her. In this point of view, Sicily, Sardinia, Corsica, Malta, the Ionian islands, and several of the Archipelago, will form the patrimony of your Majesty's line, which, in that case, may look upon itself as the England of the Mediterranean. Let not your Majesty persist in the wish to recover the states which your family formerly possessed in Italy.—Imperious circumstances have compelled me to make so many variations, that it is now impossible to alter them, and the islands above enumerated are a complete equivalent. I have explained my ideas to your Majesty, at full length, and have spoken to you with that sincerity which becomes one who is on the eve of being your nephew.—From henceforth, all feelings of rancour, animosity, and passion, should cease. I forget the injuries I have received; and your Majesty ought to regard me as your relative and your ally. My cause and my interests ought to be those of your Majesty, as those that belong to you shall be mine. I shall aggrandize the dominions of the House of Austria, restore her to her ancient splendour, make her mistress of the Danube, give her ports on the Black Sea, and, in short, a navy, which shall command the whole of that sea, and whose flag will be respected in the Archipelago.

"I will assist her in her quarrels with Russia; and the Princes, the brothers of the Emperor Francis, shall reign over countries which that power has usurped ever since the time of Peter the Great. In recompence for all this, I require only the friendship, the good-will of your Ma-

jesty. Upon this depends the happiness of more than an hundred millions of souls; and I, who am interested in the welfare of so many nations, pray and supplicate your Majesty to second my intentions. Let not prejudices, erroneous views of interest, and, above all, the seductive artifices of the English, cause your Majesty to lose so favourable a conjuncture.

"Let your Majesty, availing yourself of your natural talent and perspicacity, avoid being surprised by those who hover about your spouse. May Europe not see herself frustrated of this basis of felicity; in consequence of which, the interest of all the dynasties being conciliated, they may fall with their whole weight upon the pirates! May the present generation, in front of whom Providence has placed us, witness the sacrifice which Monarchs shall be disposed to make of their passions! This I expect of your Majesty, and so I entreat that he may take you into his holy and worthy keeping, &c."

NEW DUTCH DECREE.

Louis Napoleon, by the Grace of God and the Constitution of the Kingdom, King of Holland, Constable of France.

Upon the Report of our Minister of Finance, of the 21st of May, 1810, &c.—We have decreed, and hereby decree,

Art. 1. The line of two thousand rods, established by our decree of the 25th of May, 1809, No. 25, and further described in our decree of the 3rd of November, 1809, No. 12, within which limits, with the exception of certain places therein mentioned, and the Town of the Hague, are prohibited all magazines, depots or warehouses of colonial goods and English manufactures, or articles held to be such according to the Proclamation of the 31st of May 1805, is extended to the distance of five thousand rods from the sea-coasts. All unlicensed magazines found within the former space, shall be put under sequestration, to be disposed of in such manner as shall be farther provided.

2. The proprietors of such magazines lying between the distance of two thousand, and that of five thousand rods from the sea-coasts, shall be at liberty to clear and carry off the same, within the space of 14 days, under the authority of inland permits.

3. All licensed retail dealers shall deliver in at the nearest office of the Director by Water, a special declaration in writing of their stock in hand.

4. The necessary sufferances shall be delivered to the retail dealers, to ascertain the colonial goods and manufactures which they may keep on hand in order to carry on their trade. This stock shall be regulated by the average of the extent of their licences, and the amount of their payments to the weigh-house tax, in case they are rated thereto. The quantity, however, shall in no case exceed one-third of the annual sales.

5. The local authorities shall, within the shortest possible period, transmit to the Director-General of the Middelen te Water, lists of the licensed shop-keepers within their respective districts, dealing in colonial commodities and manufactures, with a statement of the sum they are rated at, to the weigh-house tax, which statement they are empowered to demand of the Receiver or Collector of the Middelen te Lande. The said lists are to be accompanied with such remarks as tend to make the Director-General more particularly acquainted with their local interests in this respect.

6. The present decree shall be published in the Bulletin of Laws.

7. Our Minister of Finance, Justice, and Police, and also the Director-General of the Middelen te Water, are charged with the execution of the present decree.

Given at our Palace at Haarlem, this 24th day of May, in the year 1810, and of our reign the fifth.

(Signed) LOUIS NAPOLEON.

Published by R. BAGSHAW, Brydges-Street, Covent-Garden:—Sold also by J. BUDD, Pall-Mall, LONDON:—Printed by T. C. Hansard, Peterborough-Court, Fleet-Street.

COBBETT'S WEEKLY POLITICAL REGISTER.

Vol. XVII. No. 26.] LONDON, SATURDAY, JUNE 30, 1810. [Price 1s.

TO THE

READERS OF THE REGISTER.

I trust, that, when the situation, in which I am now placed, is considered, I shall be excused for not having any thing of my own to present to the public.—— Since the *Trial*, I have been compelled to leave my home (to which I hastened on the day of the Trial), in order to go to London *to put in bail* for my appearance to receive judgment. From London it was absolutely necessary to return hither, in order to make some little arrangement in my affairs here, which have, hitherto, been always managed by myself. To do this, even in a very imperfect manner, would require every moment of the time that I can remain here; and, therefore, I think that no apology will be thought necessary for my not writing any thing for publication this week. Indeed, to write to any purpose, with one's mind and heart pulled so many ways is impossible. It would be vain to attempt it.

WM. COBBETT.

Botley, June 29, 1810.

N. B. It was my intention to have closed the Volume with this Number, but there has not been time to make out the INDEXES and TABLES.

Second REPORT *from the Select Committee on Proceedings relative to Sir Francis Burdett.*—[*Ordered, by the House of Commons, to be printed, 23d May* 1810. —*For First Report, see p.* 859.]

The SELECT COMMITTEE appointed to consider of the Proceedings had, and to be had, with reference to the several Papers signed "Francis Burdett;"—the Contents of which related to his being apprehended and committed to the Tower of London, and which Papers were communicated to the House, by Mr. Speaker, upon the 13th and 17th days of April last;—and to report such facts, as they may think necessary, together with their opinion thereupon, from time to time, to the House;—And to whom the matters stated by the Serjeant at Arms attending the House, and the Process served upon him in an Action at Law by Sir Francis Burdett;—and also the Summons served on Mr. Speaker, and the Notice of Declaration delivered to the Serjeant at Arms, at the Suit of the said Sir Francis Burdett; were referred;—And to whom the Report was re-committed, which was made from the said Committee;——Have, pursuant to the Orders of the House, further considered the matters referred to them; and have agreed to the following REPORT:

Your Committee, resuming the consideration of the principal matters reserved in their former Report, do not think it necessary to state all the various Precedents which are to be found of the exercise of the power of Commitment by the House of Commons for Breaches of Privilege and Contempt in general, conceiving that to be a power too clear to be called in question, and proved, if proof were necessary, by the same Precedents, which they have collected with a view to the point to which they have more immediately directed their attention, and which Precedents are subjoined to their Report. —The Cases which your Committee have selected as most directly connected with the subject referred to them, are those of Commitments for Libel, an offence which tends to excite popular misapprehension and disaffection, endangers the freedom of the Debates and Proceedings in Parliament, and requires the most prompt interposition and restraint. The effect

of immediate punishment and example is required to prevent the evils necessarily arising from this offence, which evil it is obvious would be much less effectually guarded against by the more dilatory proceedings of the ordinary Courts of Law; nevertheless upon some occasions the House of Commons have proceeded against persons committing such offences, by directing Prosecutions, or by addressing his Majesty to direct them, as appears by the Precedents collected in the Appendix.—From the series of Precedents which your Committee find on your Journals, it will most clearly appear that the House of Commons have treated Libels as Contempts; that they have frequently punished the Authors and Publishers of them by Commitment, whether those Authors and Publishers were or were not Members of the House; and that this power has been exercised at all times, as far back as the Journals afford an opportunity of tracing it. And your Committee cannot forbear observing, that the Precedents subjoined to their Report establish this Law of Parliament, upon the ground and evidence of an immemorial usage, as strong and satisfactory as would be held sufficient in a Court of Law, for the establishment of any legal right.—Your Committee also beg leave to observe, that the general power of Commitment was solemnly asserted by the House of Commons in 1675, and in their Resolutions of 1701; and was also claimed by the House of Commons, and admitted by the House of Lords in the most explicit terms, in the Conference between the two Houses in the case of Ashby and White, in 1704; although other points arising in that case were strongly controverted between the two Houses.—Your Committee further state, that it has been recognized by legal authority, and by the most solemn decisions of the Courts of Law on various occasions, whenever any question upon it has been brought before them:—By eleven of the Judges—in the Case of the Aylesbury Men. 2 Lord Raym. p. 1105. 3 Wils. p. 205.—By the Court of King's Bench—in Murray's Case. 1 Wils. p. 299. 1751. By the Court of Common Pleas—in the Case of Brass Crosby. 3 Wils. p. 203. 1771.—By the Court of Exchequer—in the Case of Oliver. 1771.—And that this power of Commitment by either House of Parliament, was further recognised by the Court of King's Bench in the Case of Benjamin Flower, 8 Term Reports, p. 323, who had been committed by the House of Lords. And your Committee have not found the authority of a single decision to the contrary in any Court whatever.—Your Committee also beg leave to state, that the Judges of the Common Law have considered Libels upon their Courts or the proceedings in judicature as Contempts, and have frequently punished the authors and publishers of them by summary commitment. This appears from various instances stated in the Appendix which have occurred both in Courts of Law and Equity.—Amongst the Judges who have concurred in those decisions, upon the power of Parliament and of the Courts of Law and Equity to commit for such Contempts, are to be found Lawyers the most distinguished for their zealous regard for the liberty of the subject, and the most upright, able and enlightened men that ever adorned the seat of justice; and the doctrines laid down by them all coincide with the opinion solemnly delivered by Lord Chief Justice De Grey in Crosby's Case, that the power of Commitment is "inherent in the House of Commons from the very nature of its institution, and that they can commit generally for all contempts." 3 Wils. p. 198.—Under all these circumstances, your Committee can have no hesitation in submitting their decided opinion, that the power of Commitment for a Libel upon the House, or upon its members, for or relative to any thing said or done therein, is essential to the Freedom of Debate, to the Independence of Parliament, to the security of the Liberty of the Subject, and to the general preservation of the State.—This power is in truth part of the fundamental Law of Parliament; the Law of Parliament is the Law of the Land; part of the Lex Terræ, mentioned in Magna Charta, where it is declared, that "no Freeman shall be taken or imprisoned but by lawful judgment of his Peers, or by the Law of the Land;" and it is as much within the meaning of these words, "the Law of the Land," as the universally acknowledged power of Commitment for Contempt by the Courts of Justice in Westminster Hall, which Courts have inherent in them the summary power of punishing such Contempts by Commitment of the Offenders, without the intervention of a Jury.—Your Committee therefore are of Opinion, That this Power is founded on the clearest princi-

ples of expediency and right, proved by immemorial usage, recognised and sanctioned by the highest legal Authorities, and analogous to the power exercised without dispute by Courts of Justice; that it grew up with our Constitution; that it is established and confirmed as clearly and incontrovertibly as any part of the Law of the Land, and is one of the most important safeguards of the Rights and Liberties of the People.

Extracts from the Appendix.

CLAIM AND RECOGNITION of the Privileges of Parliament, and the power of Commitment.

11 Rich. II.—Rot. Parl. Vol. iii. p. 244.—En yeest Parlement, toutz les Seign'rs si bien Espiritels come Temporels alors presentz clamerent come lour Libertee & Franchise, q'les grosses matires moevez en cest Parlement, & a movers en autres Parlementz en temps a venir, tochantz Pieres de la Terre, serroient demesnez, ajuggez, & discus par le cours de Parlement, & nemye par la Loy Civile, ne par la Commune Ley de la Terre, usez en autres plus bas Courtes du Roialme: quell claym, liberte, & franchise le Roy lour benignement alloua & ottroia en plein Parlement.

32 Hen. VI.—Rot. Parl. Vol. v. p. 239.—Thorp's Case.—The seid Lordes Spirituelx and Temporelx not entendyng to empeche or hurt the Libertees and Privilegges of theym that were com'en for the Commune of this lande to this present Parlement, but egally after the cours of lawe to mynystre justice, and to have knowlegge what the law will wey in that behalve, opened and declared to the Justices the premissez, and axed of them whether the seid Thomas ought to be delivered from prison, by force and vertue of the Privelegge of Parlement or noo. To the which question the chefe Justcez, in the name of all the Justicez, after sadde communication and mature deliberation hadde among theim, aunswered and said, that they ought not to aunswere to that question, for it hath not be used afore tyme that the Justicez should in eny wyse determine the Privelegge of this high Court of Parlement.

4 Hen. VII.—The original Roll in the Parliament Office.—Stroud's Case.—This is the act conc'nyng Richard Stroude for matt' resoned in the P'liament.—The act begins by reciting the Petition of Rd. Stroude, and after that recital proceeds thus:

Henry R. *Soit baill aux Senio's.*

And on that be it inacted by the seide Autorite, That al suts, accusementis, condempnacons, execucions, fynys, am'ciamentis, punysshements, correccons, grev'ncez, charges, & impositions putt or hadde or her aft' to be put or hadde unto or apon the seide Richard, and to every other of thep'son or p'son afore specyfyed that nowe be of this p'sent P'liament or that of any P'liament her after shall be for any bylle speyking, reasonying or declarying off any mat' or maters conc'nying the P'liament to be comenced and treated off, be utt'ly voyde & of none effecte, and on that be hyt inacted by the seide Autorite, That if the seide Richard Strode or any of all the seide other p'son or persons her after be vexy'd, trobeled or other wyse charged for any causes as is aforesaide, that then he or they & every of them so vexed or troubled off and for the same, have acc'on upon the case agaynste ev'ry such p'son or p'sons so vexying or trobelying any cot'rie to this Ordin'ns & p'visiòn, in the whych acc'on the p'tie greyvd shall be recov' treby'll damages & costis & that no p'teccon, essouie nor wager of Lawe yn the seide acc'on in anywise be admytted nor receyvid.

A Ce'st Bill Ley Seinos ss Assent.

1606.—Com. Journ. Vol. i. p. 349.—The Commons tell the Lords "that they doubt not, but the Commons House is a Court, and a Court of Record."

1620.—Com. Journ. Vol. i. p. 545.—In a Report of Precedents by sir Edward Coke, it is agreed, "The House of Commons, alone, hath a power of punishment, and that judicial."—Hall's Case 23 Elizth. and Long's Case 5th Elizth. cited.

1675, June 4th.—Com. Journ. Vol. ix. p. 354.—In the matter of the appellant Jurisdiction of the House of Lords, the Commons assert their right "to punish by imprisonment a Commoner that is guilty of violating their privileges, that being according to the known Laws and Custom of Parliament and the right of their Privileges declared by the King's Royal Predecessors in former Parliaments and by himself in this;" and "that neither the Great Charter, the Petition of Right, nor any other Laws, do take away the Law and Custom of Parliament, or of either House of Parliament."

1701.—Vol. xiii, p. 767.—Kentish Petition.—Resolved, That it is the Opinion of this Committee, that to assert the House of Commons have no power of Commit-

ment, but of their own Members, tends to the subversion of the Constitution of the House of Commons.

Resolved, That it is the Opinion of this Committee, That to print or publish any Books or Libels reflecting upon the proceedings of the House of Commons, or any member thereof, for or relating to his service therein, is a high violation of the Rights and Privileges of the House of Commons.

Ashby & White.—Conferences between the two Houses.

The Commons at the second Conference with the Lords re-assert their Resolution of 1701:

"For it is the ancient and undoubted right of the House of Commons to commit for breach of Privilege; and the instances of their committing persons (not Members of the House) for breach of Privilege, and that to any her Majesty's prisons, are ancient, so many, and so well known to your Lordships, that the Commons think it needless to produce them."—Lords Journ. Vol. xvii. p. 709.

Lords Journ. Vol. xvii. p. 714.

The Lords in answer say,—"The Lords never disputed the Commons power of committing for breach of Privilege, as well persons who are not of the House of Commons as those who are," &c.

RECOGNITION of the Law and Privilege of Parliament, and of the Power of the House of Commons to commit for Contempt, by Legal Authorities, and by the Decision of Courts of Justice.

Coke, 4 Inst. fo. 15.—Lord Coke observes upon the Claim of the Lords, in 11 of Rich. II. sanctioned by the King (as stated in the first paragraph of Appendix C.) under the head of 'Lex et Consuetudo 'Parliament;' as followeth—"And as every Court of Justice hath Laws and Customs for its direction, some by the Common Law, some by the Civil Law and Common Law, some by peculiar Laws and Customs, &c. so the High Court of Parliament—suis proprijs legibus et consuetudinibus subsistit—It is lex et consuetudo Parliamenti, that all weighty matters in any Parliament, moved concerning the Peers of the Realm, or Commons in Parliament assembled, ought to be determined, adjudged, and discussed by the course of Parliament and not by Civil Law, nor yet by the Common Laws of this Realm used in inferior Courts; which was so declared to be—secundum legem et consuetudinem Parliamenti—concerning the Peers of this Realm, by the King, and all the Lords Spiritual and Temporal: And the like, *pari ratione*, is for the Commons for any thing moved or done in the House of Commons."

Coke, 4 Inst. fo. 50.—And on another occasion, in treating of the Laws, Customs, Liberties and Privileges of the Court of Parliament, which he saith, "hath been much desired, and are the very heart-strings of the Commonwealth;" Lord Coke says,—"All the Justices of England and Barons of the Exchequer, are assistants to the Lords to inform them of the Common Law, and thereunto are called severally by writ: neither doth it belong to them (as hath been said) to judge of any Law, Custom, or Privilege of Parliament: And to say the truth, the Laws, Customs, Liberties, and Privileges of Parliament, are better to be learned out of the Rolls of Parliament, and other Records, and by Precedents and continued experience, than can be expressed by any one man's pen."

26 Car. II.—1674.—State Trials, Vol. vii. p. 449.—Soame's Case.—Lord Chief Justic North said,—"I can see no other way to avoid consequences derogatory to the honour of the Parliament, but to reject the action; and all others that shall relate either to the Proceedings or Privilege of Parliament, as our predecessors have done. For if we should admit general remedies in matters relating to the Parliament, we must set bounds how far they shall go, which is a dangerous province; for if we err, Privilege of Parliament will be invaded, which we ought not in any way to endamage."

1675.—State Trials, Vol. ii. p. 622.—Earl of Shaftesbury's Case.—In the Case of the Earl of Shaftesbury, who was committed by the House of Lords, "for high contempts committed against the House," on being brought up to the King's Bench on the Return of an Habeas Corpus, the Court unanimously determined against entertaining the case; when Rainsford, Chief Justice, said, "This Court has no jurisdiction of the Cause, and therefore the form of the Return is not considerable. We ought not to extend our jurisdiction beyond its limits, and the actions of our ancestors will not warrant such an attempt.—The consequence would be very mischievous, if this Court should deliver a Member of the House of Peers and Commons who are committed, for thereby the

business of Parliament may be retarded; for it may be the commitment was for evil behaviour, or indecent reflections on other Members, to the disturbance of the affairs of Parliament. The commitment in this case is not for safe custody; but he is in execution of the judgment given by the Lords for contempt; and therefore if he should be bailed, he would be delivered out of execution; for a contempt *in facie curiæ* there is no other judgment or execution. This Court has no jurisdiction, and therefore he ought to be remanded. I deliver no opinion whether it would be otherwise in case of a Prerogative."

1751, Feb. 7th.—1 Wilson p. 200—Murray's Case.—When he was brought up to the King's Bench by a Habeas Corpus, and the Court unanimously refused to discharge him, Mr. Justice Wright said, "It appears upon the Return of this Habeas Corpus, that Mr. Murray is committed to Newgate by the House of Commons, for an high and dangerous contempt of the Privileges of that House; and it is now insisted on at the bar, that this is a bailable case, within the meaning of the Habeas Corpus Act.—To this I answer, that it has been determined by all the Judges to the contrary; that it could never be the intent of that Statute to give a Judge at his chamber, or this Court, power to judge of the Privileges of the House of Commons.—The House of Commons is undoubtedly an high Court; and it is agreed on all hands that they have power to judge of their own Privileges; it need not appear to us what the contempt was for; if it did appear, we could not judge thereof.—Lord Shaftesbury was committed for a contempt of the House; and being brought here by an Habeas Corpus, the Court remanded him; and no case has been cited wherever this Court interposed.—The House of Commons is superior to this Court in this particular: this Court cannot admit to bail a person committed for a contempt in any other Court in Westminster Hall."

Dennison, Justice.—"This Court has no jurisdiction in the present case. We granted the Habeas Corpus, not knowing what the commitment was; but now it appears to be for a contempt of the Privileges of the House of Commons; what those Privileges (of either House) are, we do not know; nor need they tell us what the contempt was, because we cannot judge of it; for I must call this Court inferior to the House of Commons with respect to judging of their Privileges, and Contempts against them. I give my judgment so suddenly, because I think it a clear case, and requires no time for consideration.

Foster, Justice.—"The Law of Parliament is part of the Law of the Land; and there would be an end of all Law, if the House of Commons could not commit for a Contempt. All Courts of Record (even the lowest) may commit for a Contempt; and Lord Holt, though he differed with the other Judges, yet agreed the House might commit for a Contempt in the face of the House. As for the Prisoner's illness, we can take no notice of it, having no power at all in this case."

The Prisoner was remanded.

1771.—3 Wils, 188.—Crosby's Case.—In the year 1771, Brass Crosby, esq. the Lord Mayor, who was committed to the Tower by order of this House, under the Speaker's Warrant, on 25th March, 1771, was brought up by Habeas Corpus before the Court of Common Pleas in Easter Term. The Question was fully argued, and, by the unanimous judgment of the Court, he was remanded.

The Lord Chief Justice de Grey, in giving the opinion of the Court, stated, "That this power (viz. of commitment] must be inherent in the House of Commons, from the very nature of its institution; and therefore is part of the Law of the Land. They certainly always could commit in many cases; in matter of Elections, they can commit Sheriffs, Mayors, Officers, Witnesses, &c. and it is now agreed, that they can commit generally for all Contempts. All Contempts are either punishable in the Court contemned, or in some higher Court. Now the Parliament has no superior Court; therefore the Contempt against either House, can only be punished by themselves."

"The Stat. of James I, cap. 13, sufficiently proves that they have power to punish it, in these words: 'Provided always, that this Act or any thing therein 'contained shall not extend to the diminishing of any punishment to be hereafter by censure in Parliament inflicted 'upon any person which hereafter shall 'make or procure to be made any such 'arrest as aforesaid;' so that it is most clear that the Legislature have recognized this power of the House of Commons. In the case of the Aylesbury Men, the Counsel admitted, Lord Chief Justice Holt owned, and the House of Lords acknowledged, that the House of Commons had

power to commit for Contempt or breach of Privilege. Indeed, it seems they must have power to commit for any crime. When the House of Commons adjudge any thing to be a Contempt or a breach of Privilege, their adjudication is a conviction, and their commitment in consequence an execution; and no Court can discharge or bail a person that is in execution by the judgment of any other Court."

And he concluded his judgment in these words:

"I am perfectly satisfied that if Lord Holt himself were to have determined it, the Lord Mayor would have been remanded. In the case of Mr. Murray, the Judges could not hesitate concerning the contempt by a man who refused to receive his sentence in a proper posture; all the Judges agreed, that he must be remanded, because he was committed by a Court having competent jurisdiction. Courts of Justice have no cognizance of the acts of the Houses of Parliament, because they belong *ad aliud examen.* I have the most perfect satisfaction in my own mind in that determination. Sir Martin Wright, who felt a generous and distinguished warmth for the liberty of the Subject; Mr. Justice Denison, who was so free from connections and ambition of every kind; and Mr. Justice Foster, who may be truly called the Magna Charta of liberty, of persons as well as fortune; all these revered Judges concurred in this point. I am therefore clearly and with full satisfaction of opinion, that the Lord Mayor must be remanded."

Gould, Justice.—"I entirely concur in opinion with my Lord Chief Justice, that this Court hath no cognizance of Contempts or breach of Privilege of the House of Commons; they are the only Judges of their own Privileges; and that they may be properly called Judges, appears in 4 Inst. 47, where my Lord Coke says, an alien cannot be elected of the Parliament, because such a person can hold no place of judicature. Much stress has been laid upon an objection, that the Warrant of the Speaker is not conformable to the Order of the House; and yet no such thing appears upon the Return, as has been pretended. The Order says, that the Lord Mayor shall be taken into the custody of the Serjeant or his Deputy; it does not say, by the Serjeant or his Deputy. This Court cannot know the nature and power of the proceedings of the House of Commons; it is founded on a different law; the *Lex et Consuetudo Parliamenti*, is known to Parliament men only. Trewynnard's case, Dier, 59, 60. When matters of Privilege come incidentally before the Court, it is obliged to determine them, to prevent a failure of justice. It is true this Court did, in the instance alluded to by the Counsel at the Bar, determine upon the Privilege of Parliament in the case of a Libel; but then that Privilege was promulged and known; it existed in records and law books, and was allowed by Parliament itself. But even in that case, we now know that we were mistaken; for the House of Commons have since determined, that Privilege does not extend to matters of Libel. The cases produced respecting the High Commission Court, &c. are not to the present purpose, because those Courts had not a legal authority. The Resolution of the House of Commons is an adjudication, and every Court must judge of its own contempts.

Blackstone, Justice.—"I concur in opinion, that we cannot discharge the Lord Mayor. The present case is of great importance, because the liberty of the Subject is materially concerned. The House of Commons is a supreme Court, and they are Judges of their own Privileges and Contempts, more especially with respect to their own Members.—Here is a Member committed in execution by the judgment of his own House. All Courts, by which I mean to include the two Houses of Parliament and the Courts of Westminster Hall, can have no control in matters of Contempt. The sole adjudication of Contempts, and the punishment thereof, in any manner, belongs exclusively, and without interfering, to each respective Court. Infinite confusion and disorder would follow, if Courts could by Writ of Habeas Corpus examine and determine the Contempts of others. This power to commit results from the first principles of justice; for if they have power to decide, they ought to have power to punish. No other Court shall scan the judgment of a superior Court, or the principal Seat of Justice. As I said before, it would occasion the utmos confusion, if every Court of this Hall should have power to examine the commitments of the other Courts of the Hall for contempts; so that the judgment and commitment of each respective Court as to contempts, must be final and without control. It is a confidence that may, with perfect safety and secu-

rity, be reposed in the Judges and the Houses of Parliament. The Legislature since the Revolution (see 9 & 10 W. III. c. 15.) have created many new contempts. The objections which are brought, of abusive consequences, prove too much, because they are applicable to all Courts of dernier resort: 'et ab abusu ad usum non 'valent consequentia,' is a maxim of law as well as of logic. General convenience must always outweigh partial inconvenience; even supposing (which in my conscience, I am far from supposing) that in the present case the House has abused its power. I know, and am sure that the House of Commons are both able and well inclined to do justice. How preposterous is the present murmur and complaint! The House of Commons have this power only in common with all the Courts of Westminster Hall: and if any persons may be safely trusted with this power, they must surely be the Commons, who are chosen by the people; for their privileges and powers are the privileges and powers of the people. There is a great fallacy in my brother Glynn's whole argument, when he makes the question to be, Whether the House have acted according to their right or not?—Can any good man think of involving the Judges in a contest with either House of Parliament, or with one another? And yet this manner of putting the question would produce such a contest. The House of Commons is the only Judge of its own proceedings: Holt differed from the other Judges in this point, but we must be governed by the eleven, and not by the single one. It is a right inherent in all supreme Courts; the House of Commons have always exercised it. Little nice objections of particular words, and forms and ceremonies of execution, are not to be regarded in the acts of the House of Commons; it is our duty to presume the Orders of that House, and their execution, are according to law. The Habeas Corpus in Murray's case was at Common Law. I concur entirely with my Lord Chief Justice."

1771. Oliver's Case.—And in Mr. Alderman Oliver's case, argued in the Court of Exchequer on the 27th of April 1771, the four Judges, Chief Baron Parker, Mr. Baron Smythe, Mr. Baron Adams, and Mr. Baron Perrot, unanimously acknowledged in like manner the right of the House of Commons to commit.

1779.—Durnford and East's Report, K. B. Book 8. p. 314.

Flower's Case.—In the case of Flower, committed by the House of Lords, for a libel on the Bishop of Landaff, on his being brought up to the King's Bench upon Habeas Corpus,

Lord Kenyon, Chief Justice, said—"If we entertained any doubts upon this subject, it would be unbecoming in us to rush to a speedy decision without looking through all the cases cited by the Defendant's Counsel; but not having any doubts, I think it best to dispose of the case at once. The cases that have been referred to are all collected in Lord Hale's Treatise on the Jurisdiction of the Lords' House of Parliament, and that valuable Preface to it published by Mr. Hargrave; but in the whole of that publication the Defendant's Counsel has not found one case applicable to the present. This is one of the plainest questions that ever was discussed in a Court of Law. Some things, however, have dropped from the learned Counsel that require an answer:—First, it is said that the House of Lords is not a Court of Record: that the House of Lords when exercising a legislative capacity is not a Court of Record, is undoubtedly true; but when sitting in a judicial capacity, as in the present case, it is a Court of Record. Then it was objected, that the Defendant was condemned without being heard in his defence: but the warrant of commitment furnishes an answer to that; by that it appears, that 'he was informed of the complaint made 'against him,' &c. and having been heard as to what he had to say in answer to the said complaint, &c. he was adjudged 'guilty of a high breach of the Privileges 'of the House,' &c. so that it clearly appears that he was heard in his defence, and had the same opportunity of calling Witnesses, that every other Defendant has in a Court of Justice. Then insinuations are thrown out against the encroachments by the House of Lords on the liberties of the Subject: but the good subjects of this country feel themselves protected in their liberties by both Houses of Parliament. Government rests in a great degree on public opinion; and if ever the time shall come, when factious men will overturn the Government of the Country, they will begin their work by calumniating the Courts of Justice and both Houses of Parliament.—The ground of this proceeding is, that the Defendant has been guilty of a breach of Privileges of the House, and a

contempt of the House. This claim of right to punish by fine and imprisonment for such an offence, is not peculiar to the House of Lords; it is frequently exercised by this and other Courts of Record, and that not merely for contempts committed in the presence of the Court: One instance of which was that of Mr. Beardmore*, Under Sheriff of Middlesex, for a contempt of the Court in not executing part of the sentence pronounced on Dr. Shebbeare. And that case answers another objection, strongly insisted on by the Defendant's Counsel here, that if the party accused can be punished in any other manner, this mode of trial cannot be resorted to; for there Mr. Beardmore might have been indicted, but yet he was attached, examined upon interrogatories, and fined and imprisoned. Again it is objected, that the House of Lords cannot impose a fine for such an offence: but this and other Courts of Record have the power of fining in this summary manner; and why should not the House of Lords have the same power of imposing a fine for a contempt of their privileges? Then several instances were alluded to, where the House did not choose to exercise this privilege, but directed prosecutions to be instituted in the Courts of Law. The same observations might equally be made on the proceedings of this Court, who have sometimes directed indictments to be preferred. We are not therefore to conclude that the House of Lords has not the power of inflicting this punishment, from the circumstance of its not exercising it on all occasions. When Lord Shaftesbury's case came on, there were some persons who wished to abridge the Privileges of the House of Lords: but Mr. Serjeant Maynard was one of those who argued in support of their Privileges; and he surely was not capable of concurring in any attempt to infringe the liberties of the people. It has been said, however, that though many instances are to be found in which the House of Lords has in point of fact exercised this power, whenever that power has been resisted it has been resisted with effect; from whence it is inferred, that the House of Lords has not the authority which it assumes: but in this case I may avail myself of the same argument in favour of its jurisdiction, for no case has been found where it has been holden to be illegal in the House of Lords to fine and imprison a person guilty of a breach of Privilege. We were bound to grant this Habeas Corpus; but having been the Return to it, we are bound to remand the Defendant to prison, because the subject belongs to 'aliud examen.' There is nothing unconstitutional in the House of Lords proceeding in this mode for a breach of Privilege; and unless we wish to assist in the attempt that is made to overset the Law of Parliament and the Constitution, we must remand the Defendant."

Grose, J.—"This question is not new; it has frequently been considered in Courts of Law; and the principles discussed today, and the Cases cited, were examined not many years ago; and the result is very ably stated by Lord Ch. Just. De Grey, in 3 Wils. 199. 'When the House 'of Commons (and the same may be said 'of the House of Lords) adjudge any thing 'to be a Contempt or a breach of Privi'lege, their adjudication is a conviction, 'and their commitment in consequence, 'is execution; and no Court can discharge 'or bail a person that is in execution by 'the judgment of any other Court.' In another passage he said 'Every Court 'must be sole judge of its own contempts.' And again, 'The Counsel at the Bar have 'not cited one case where any Court of 'this Hall ever determined a matter of 'Privilege which did not come immediately before them.'

"Having stated this, I think I need not add more in the present case."

Per Curiam*.

Let the Defendant be remanded.

CASES of Commitments for Contempt by Courts of Justice.

ANALOGY.

In Michaelmas Term 18 Edward III.—John De Northampton, an Attorney of the Court of King's Bench confessing himself guilty of publishing a Libel upon the Court, was committed to the Marshal, and ordered to find securities for his good behaviour.—3 Inst. 174.

Hilary Term 11 Ann.—A Writ of Attachment was issued against Thomas Lawson, for speaking disrespectful words of the Court of Queen's Bench, upon his being served with a rule of that Court.

* *Vide 2 Burr. 792.*

* Mr. Justice Lawrence was not in Court, being indisposed; and Mr. Justice Le Blanc, having attended at the Guildhall Sittings for Lord Kenyon, and not returning till the argument was closed; gave no opinion.

Hilary 12 Ann.—A Writ of Attachment was granted against Edward Hendale, for speaking disrespectful words of the Lord Chief Justice of the Court of Queen's Bench, and his Warrant.

Trinity Term. 5 George I.—A Writ of Attachment against ——— Jones, for treating the Process of the Court of King's Bench contemptuously; and there being an intimation that he relied on the assistance of his fellow-workmen to rescue him, the Court sent for the Sheriff of Middlesex into Court, and ordered him to take a sufficient force.—1 Strange 185.

Michaelmas Term 6 Geo. I.—A Writ of Attachment was granted to Richard Lamb, for contemptuous words concerning a Warrant from a Judge of the Court of King's Bench.

Easter Term 6 Geo. I.— ———Wilkins having confessed himself guilty of publishing a Libel upon the Court of King's Bench, the Court made a rule committing him to the Marshal.

The next Term Wilkin having made an affadavit charging Dr. Colebatch with being the author of the Libel, was sentenced to pay a fine of £. 5. and to give security for his good behaviour for a year

Hilary Term 7 Geo. I.—An Attachment was granted against John Barber, Esquire, for contemptuous Words of the Court of King's Bench, in a speech to the Common Council of London.—1 Strange 443.

Hilary Term, 9 Geo. I.—Doctor Colebatch having been examined upon interrogatories, for contempt in publishing a Libel, the interrogatories and answer were referred to the King's Coroner and Attorney, and

In Easter Term 9 Geo. I.—Dr. Colebatch, being in the custody of the Marshal, was brought into Court, and was sentenced to pay a fine of £. 50. and to give security for his good behaviour for a year, and was committed to the Marshal in execution.

Michaelmas Term 9 Geo. I.—A Writ of Attachment was granted against John Bolton, Clerk, for contemptuous words respecting the Warrants of the Lord Chief Justice of the Court of King's Bench, at a meeting of his parishioners in the Church-yard.

Easter Term 9 Geo. I.—John Wyat, a bookseller in St. Paul's Church-yard, published a pamphlet written by Dr. Conyers Middleton, in the dedication of which to the Vice-Chancellor of Cambridge, were some passages reflecting upon a proceeding of the Court of King's Bench; the Court granted a Rule against Wyat to shew cause why a Writ of Attachment should not issue against him for his contempt; and Wyat having made an affidavit that Cornelius Crownfield had employed him to sell the pamphlet, and he having charged Dr. Conyers Middleton with being the author of it, Crownfield was discharged upon payment of the costs, and a Writ of Attachment was granted against Dr. Conyers Middleton, who, in the next term, gave bail to answer the contempt; he was afterwards examined upon interrogatories, and upon the report of the King's Coroner and Attorney he was adjudged to be in contempt, and was committed to the Marshal in execution *quousque*, &c. and it was referred to the Master to tax the Prosecutor's costs.

It is stated in Fortescue's Reports, that Dr. Middleton was sentenced to pay a fine of £. 50, and to give security for a year; but no rule for such sentence has at present been found; and Dr. Colebatch having received such a sentence, for a similar offence, in the preceding term, it is possible that this sentence may, by mistake, have been applied to Dr. Middleton.

Michaelmas Term 5 Geo. II ——The Court granted a Writ of Attachment against lady Lawley, for a contempt in publishing a paper reflecting upon the proceedings of the Court; and she having been examined upon interrogatories, was in Easter Term following reported by the Officer of the Court to be in contempt, and was committed to the marshal.

And in Trinity Term 6 Geo. II. she was brought into Court, and a Rule made, stating that "fecit submissionem suam petivit veniam de curiâ;" and thereupon she was fined five marks and discharged.

Mark Halpenn, the husband of lady Lawley, was also examined upon interrogatories, for publishing the same libel.—2 Barnardiston, K's B. 43.

Extract from Atkyns's Reports, Book 2, page 469.

First Seal after Michaelmas Term, December 3d, 1742.—A motion against the printer of The Champion, and the printer of The Saint James's Evening Post; that the former, who is already in the Fleet, may be committed close prisoner, and that the other, who is at large, may be committed to the Fleet, for publishing a libel against Mr. Hall and Mr. Garden (executors of John Roach, Esquire, late Major of

the garrison of Fort Saint George in the East Indies,) and for reflecting likewise upon Governor Mackay, Governor Pitt, and others, taxing them with turning affidavit-men, &c. in the Cause now depending in this Court; and insisting that the publishing such a paper is a high contempt of this Court, for which they ought to be committed.

Lord Hardwicke, Lord Chancellor,

Nothing is more incumbent upon Courts of Justice than to preserve their proceedings from being misrepresented; nor is there any thing of more pernicious consequence, than to prejudice the minds of the public against persons concerned as parties in causes, before the cause is finally heard*. It has always been my opinion, as well as the opinion of those who have sat here before me, that such a proceeding ought to be discountenanced.

But to be sure Mr. Solicitor-General has put it upon the right footing, that notwithstanding this should be a libel, yet unless it is a contempt of the Court, I have no cognizance of it; for whether it is a libel against the public, or private persons, the only method is to proceed at law.

The Defendant's Counsel have endeavoured two things—1st. to shew this paper does not contain defamatory matter; 2dly, if it does, yet there is no abuse upon the proceedings of this Court: And therefore there is no room for me to interpose.

Now take the whole together, though the letter is artfully penned, there can remain no doubt in every common reader at a coffee-house but this is a defamatory libel.

It is plain therefore who is meant; and as a Jury, if this fact was before them, could make no doubt, so, as I am a Judge of facts as well as law, I can make none.

I might mention several strong cases, where even feigned names have been construed a libel upon those persons who were really meant to be libelled.

Upon the whole as to the libellous part, if so far there should remain any doubt whether the executors are meant, it is clear beyond all contradiction upon the last paragraph, in which are these words: "This case ought to be a warning to all fathers to take care with whom they trust their children and their fortunes, lest their own characters, their widows and their children be aspersed, and their fortunes squandered away in law-suits."

And likewise, though not in so strong a degree, the words "turned Affidavit-men," is a libel against those gentlemen who have made them.

There are three different sorts of Contempt:

One kind of Contempt is, scandalizing the Court itself.

There may be likewise a Contempt of this Court, in abusing parties who are concerned in causes here.

There may also be a Contempt of this Court, in prejudicing mankind against persons before the cause is heard.

There cannot be any thing of greater consequence than to keep the streams of justice clear and pure, that parties may proceed with safety both to themselves and their characters.

The case of Raikes, the Printer of the Gloucester Journal, who published a libel in one of the Journals against the Commissioners of Charitable Uses, at Burford, calling his advertisement, A Hue and Cry after a Commission of Charitable Uses, was of the same kind as this, and the Court in that case committed him.

There are several other cases of this kind: one strong instance, where there was nothing reflecting upon the Court, in the case of Captain Perry, who printed his brief before the cause came on; the offence did not consist in the printing, for any man may give a printed brief as well as a written one to Counsel; but the Contempt of this Court was, prejudicing the world with regard to the merits of the cause before it was heard.

Upon the whole, there is no doubt but this is a Contempt of the Court.

With regard to Mrs. Read, the Publisher of Saint James's Evening Post, by way of alleviation, it is said, that she did not know the nature of the paper; and that printing papers and pamphlets is a trade, and what she gets her livelihood by.

But though it is true this is a trade, yet they must take care to do it with prudence and caution; for if they print any thing that is libellous, it is no excuse to say that the printer had no knowledge of the contents, and was entirely ignorant of its being libellous, and so is the rule of Law, and I will always adhere to the strict rules of Law in these cases.

Therefore Mrs. Read must be committed to the Fleet, according to the common order of the Court upon Contempts.

But as to Mr. Huggonson, who is already a prisoner in the Fleet, I do not think this

* Vide Baker v. Hart, post 488. Mrs. Farley's Case, 2 Ves. 520.

any motive for compassion; because these persons generally take the advantage of their being prisoners, to print any libellous or defamatory matter which is brought to them, without scruple or hesitation.

If these printers had disclosed the name of the person who brought this paper to them, there might have been something said in mitigation of their offence; but as they think proper to conceal it, I must order Mrs. Read to be committed to the Fleet, and Huggonson to be taken into close custody of the Warden of the Fleet.

13th Vesey, jun. page 237.—Lord Erskine, Lord Chancellor.——Exparte Jones.

Dec. 20, 23, 1806.—Commitment in the Jurisdiction of Lunacy for a Contempt, by the publication of a pamphlet. Ignorance of the contents will not excuse the Printer.

The object of this Petition was to remove the Committee of a Lunatic, and to bring before the Lord Chancellor an alleged Contempt by the Committee and his Wife and other persons, as the authors, printers and publishers of a Pamphlet, with an Address to the Lord Chancellor by way of dedication, reflecting upon the conduct of the Petitioner and others acting in the management of the affairs of the Lunatic under orders made in pursuance of the Trusts of a Will, the Affidavit representing the conduct of the Committee and his Wife intruding into the Master's Office, and interrupting him, not only in the business of this particular Lunacy, but all other business. The Wife of the Committee avowed herself to be the author of the Pamphlet, alleging the innocence of her husband.

The Solicitor-General (Sir Samuel Romilly) and Mr. Hart, in support of the Petition, were stopped by the Lord Chancellor, who called on the Counsel against it.

Mr. Plowden resisted the Petition, contending that the Petitioners had a remedy at law.

Lord Erskine: The Lord Chancellor.—As to remedy at Law, the subject of this application is not the libel against the Petitioner.—The case of Roach v. Garvan and another, there mentioned, were cases of constructive Contempt, depending upon the inference of an intention to obstruct the course of justice. In this instance, that is not left to conjecture; and whatever may be said as to a constructive contempt through the medium of a libel against persons engaged in controversy in the Court, it never has been nor can be denied, that a publication not only with an obvious tendency but with the design to obstruct the ordinary course of justice, is a very high contempt.—Lord Hardwicke considered persons concerned in the business of the Court as being under the protection of the Court, and not to be driven to other remedies against libels upon them in that respect.—But without considering whether this is or is not a libel upon the Petitioner, what excuse can be alleged for the whole tenor of this book, and introduced by this declaration of the purpose which the Author intended it to answer? It might be sufficient to say of the book itself, stripped of the dedication, that it could be published with no other intention than to obstruct the duties cast upon the Petitioner, and to bring into contempt the orders that had been made. But upon the dedication this is not a constructive Contempt. It is not left to inference. In this dedication the object is avowed, by defaming the proceedings of the Court standing upon its Rules and Orders, and interesting the public, prejudiced in favour of the Author by her own partial representation, to procure a different species of judgment from that which would be administered in the ordinary course, and by flattering the Judge to taint the source of justice.—This Pamphlet has been sent to me.

As to the printers, Lord Hardwicke observes, it is no excuse that the printer was ignorant of the contents. Their intention may have been innocent; but, as Lord Mansfield has said, the fact whence the illegal motive is inferred must be traversed, and the party admitting the act cannot deny the motive.—The maxim "Actus non facit reum, nisi mens sit rea," cannot be made applicable to this subject in the ordinary administrations of justice, as the effect would be that the ends of justice would be defeated by contrivance.—But upon the satisfactory account given by three of these printers, though undoubtedly under a criminal proceeding, they would be in mercy in a case of Contempt. Though I have the jurisdiction, I shall not use it.—The other printer appears upon the affidavits under different circumstances. Having made the observation, that this Pamphlet ought not to be printed, being totally uninteresting to the public, yet he does print it; and though the *locus penitentiæ* was afforded to him, and he was

called upon not to print any more, he proceeded until he had notice of this Petition.

Let the Committee, and his wife and the Printer to whom I have last alluded, be committed to the Fleet Prison. Dismiss the Committee from that office; and direct a reference to the Master, as to the appointment of another Committee.

Extracts from Sir Eardley Wilmot's Opinions and Judgments; p. 253.

Hilary Term, 5 Geo. III.—1753.

The KING against ALMON.

[This opinion was not delivered in Court, the Prosecution having been dropped, in consequence, it is supposed, of the resignation of the then Attorney General; but after the death of this eminent and very learned Chief Justice, was found in his own hand-writing among his papers by his son, who published it in Memoirs of his Life, page 243. The occasion of it was a Motion in the Court of King's Bench, for an attachment against Mr. Almon, for a Contempt in publishing a Libel upon the Court, and upon the Chief Justice.]

"It has been argued that the mode of proceeding by Attachment is an invasion upon the ancient simplicity of the Law; that it took its rise from the Statute of Westminster, ch. 2.; and Gilbert's History of the Practice of the Court of Common Pleas, p. 20. in the first edition, is cited to prove that position. And it is said, that act only applies to persons, resisting process; and though this mode of proceeding is very proper to remove obstructions to the execution of process, or to any contumelious treatment of it, or to any contempt to the authority of the Court, yet that papers reflecting merely upon the qualities of Judges themselves, are not the proper objects of an attachment; that Judges have proper remedies to recover a satisfaction for such reflections, by actions of "Scandalum Magnatum;" and that in the case of a Peer, the House of Lords may be applied to for a breach of Privilege; That such Libellers may be brought to punishment by indictment or information; that there are but few instances of this sort upon Libels on Courts or Judges; that the Common Pleas lately refused to do it; that Libels of this kind have been prosecuted by Actions and Indictment; and that Attachments ought not to be extended to Libels of this nature, because Judges would be determining in their own cause; and that it is more proper for a Jury to determine "quo animo" such Libels were published.

As to the origin of Attachments, "I think they did not take their rise from the Statute of Westminster, ch. 2.; the passage out of Gilbert does not prove it; but he only says, 'the origin of commitments for contempt, 'seems' to be 'derived from this Statute;' but read the paragraph through, the end contradicts the 'seeming' mentioned in the beginning of it; and shews, that it was a part of the Law of the Land, to commit for contempt, confirmed by this Statute. And indeed when that Act of Parliament is read, it is impossible to draw the commencement of such a proceeding out of it. It empowers the Sheriff to imprison persons resisting process, but has no more to do with giving Courts of Justice a power to vindicate their own dignity, than any other chapter in that Act of Parliament.

"The power which the Courts of Westminster Hall have of vindicating their own authority, is coeval with their first foundation and institution; it is a necessary incident to every Court of Justice, whether of Record or not, to fine and imprison for a contempt to the Court, acted in the face of it, 1 Vent. 1. and the issuing of Attachments by the supreme Courts of Justice in Westminster Hall, for contempts out of Court, stands upon the same immemorial usage as supports the whole fabric of the Common Law; it is as much the "Lex Terræ," and within the exception of Magna Charta, as the issuing any other legal process whatever.

"I have examined very carefully to see if I could find out any vestiges or traces of its introduction, but can find none; it is as ancient as any other part of the Common Law; there is no priority or posteriority to be discovered about it, and therefore it cannot be said to invade the Common Law, but to act in alliance and friendly conjunction with every other provision which the wisdom of our ancestors has established for the general good of society. And though I do not mean to compare and contrast Attachments with Trials by Jury, yet truth compels me to say, that the mode of proceeding by Attachment stands upon the very same foundation and basis as Trials by Jury do, immemorial usage and practice; it is a constitutional remedy in particular cases: and the Judges in those cases are as much bound to give an activity to this

rt of the Law, as to any other part of it. Indeed it is admitted, that Attachments are very properly granted for resistance of process, or a contumelious treatment of it, or any violence or abuse of the Ministers or others employed to execute it. But it is said that the Courts of Justice in those cases is obstructed, and the obstruction must be instantly removed; that there is no such necessity in the case of Libels upon Courts or Judges, which may wait for the ordinary method of prosecution, without any inconvenience whatsoever. But where the nature of the offence of libelling Judges for what they do, in their judicial capacities, either in Court or out of Court, comes to be considered, it does, in my opinion, become more proper for an Attachment than any other case whatsoever.

"By our Constitution, the King is the fountain of every species of Justice which is administered in this Kingdom, 12 Co. 25. The King is "de jure" to distribute justice to all his Subjects; and because he cannot do it himself to all persons, he delegates his power to his Judges, who have the custody and guard of the King's oath, and sit in the seat of the King "concerning his justice."

"The arraignment of the justice of the Judges is arraigning the King's justice; it is an impeachment of his wisdom and goodness in the choice of his Judges, and excites in the mind of the people a general dissatisfaction with all judicial determinations, and indisposes their minds to obey them; and whenever mens allegiance to the Laws is so fundamentally shaken, it is the most fatal and the most dangerous obstruction of justice, and, in my opinion, calls out for a more rapid and immediate redress than any other obstruction whatsoever; not for the sake of the Judges, as private individuals, but because they are the channels by which the King's justice is conveyed to the people. To be impartial, and to be universally thought so, are both absolutely necessary for the giving justice that free, open and uninterrupted current, which it has for many ages found all over this kingdom, and which so eminently distinguishes and exalts it above all Nations upon the earth.

"In the moral estimation of the offence, and in every public consequence arising from it, what an infinite disproportion is there between speaking contumelious words of the rules of the Court, for which Attachments are granted constantly, and coolly and deliberately printing the most virulent and malignant scandal which fancy could suggest upon the Judges themselves. It seems to be material to fix the ideas of the words 'Authority,' and 'Contempt of the Court,' to speak with precision upon the question.

"The Trial by Jury is one part of that system, the punishing Contempts of the Court by Attachment is another: we must not confound the modes of proceeding, and try contempts by Juries, and murthers by Attachment; we must give that energy to each which the Constitution prescribes. In many cases, we may not see the correspondence and dependance which one part of the system has and bears to another; but we must pay that deference to the wisdom of many ages as to presume it. And I am sure it wants no great intuition to see, that Trials by Juries will be buried in the same grave with the Authority of the Courts who are to preside over them."

Trinity Term, 8 Geo. III.—Writs of Attachment were granted against Staples Steare, John Williams, and John Pridden, for Contempt, in publishing the North Briton Extraordinary, No. 4, containing a Letter addressed to Lord Mansfield, Lord Chief Justice, containing gross reflections on his Lordship.

They were all examined upon interrogatories, and reported in Contempt.

And in Michaelmas Term, 9 Geo. III. Steare was sentenced to be imprisoned three calendar months.

RESOLUTIONS, PETITIONS, REMONSTRANCES, *&c. on the* LIBERTY OF THE SUBJECT *and* PARLIAMENTARY REFORM, 1810.

(Continued from p. 941.)

Copy of the LETTER *of Sir Francis Burdett, in Answer to that sent to him by the Inhabitants of Liverpool.*

Tower, May 27, 1810.

Gentlemen—I feel myself much honoured by the letter delivered to me by Mr. Crump, signed by so large and respectable a body of the inhabitants of Liverpool. Their approbation, and that of the rest of my fellow subjects, I shall ever be proud of obtaining, by a faithful discharge of my duty, in whatever situation I may happen to be placed; and I certainly shall never be deterred from doing it by any exertion of illegal power. In vain would our forefathers have struggled

against assumed prerogative in the King, should we tamely submit to an equally arbitrary power, miscalled privilege, in the House of Commons. In former times judges have been afraid of interfering with the Prerogative of the King; let us hope that the judges of the present day will be afraid of nothing but of acting contrary to the law; in which case we shall never again hear of an unknown, mysterious, undefined, unlimited power above the law, yet making part of the law, and uncontrolled, save only by the caprice of those who exercise it. To secure our country against so dangerous an usurpation in any branch of the Legislature, by means of a freely-elected House of Commons, will ever be the object of my most earnest endeavours; and will, I flatter myself, also be the best means of continuing the esteem and good opinion so handsomely expressed to me in your letter which I have just had the honour of receiving. I remain, Gentlemen, Your most obedient, very humble Servant, FRANCIS BURDETT.

BOROUGH OF SOUTHWARK.

At a Meeting of the ELECTORS of the TOWN and BOROUGH of SOUTHWARK, held at the Town Hall, on St. Margaret's Hill, on Wednesday the 13th day of June, 1810, convened at the request of many respectable Electors of the said Borough.—Mr. JOHN TOWNSHEND, Deputy Bailiff, in the Chair, at the request of Sir WATKIN LEWES, High Bailiff of the said Borough.

Resolved, That this Meeting are anxious to support all the just Rights and Privileges of the House of Commons, but that they consider the imprisonment of John Gale Jones, without a Trial by Jury, and the forcible entry of the house of Sir Francis Burdett, under the authority of that Honourable House, as an extraordinary exercise of power, which they are convinced is contrary to the birth-right of Englishmen, contained in the Great Charter of the land.

That they humbly conceive that such prompt imprisonment has been proved by the Honourable the House of Commons as unnecessary to support its justice and dignity, in a recent case of libel, in which it was stated, that the Monarchy was a goodly tree, and that the branches consisting of Lords and Commons, might safely be lopped off, which said libel was, by the Honourable House, referred to a Jury.

Resolved, That it appears to this Meeting, that the only effectual method of securing the great barriers of public liberty, of uniting the hearts of all honest men against their foreign and domestic enemies, of preserving the revenues of the country from fraud and peculation, and of giving stability and confidence to that glorious constitution, which has been preserved under Providence, by the struggles and resistance of the Sydneys and Russels, and other distinguished patriots, against arbitrary power, is by a speedy and effectual Reform in the Commons House of Parliament.

That such Reform is sanctioned by the Honourable House itself, as they have extended the rights of suffrage in the case of Cricklade, Shoreham, and Aylesbury, where bribery is proved against electors, but no notice is taken of the sale of seats in that House, "at the bare mention of which, our ancestors would have startled," because such sale is as common as the sun at noon day.

Resolved, That the thanks of this Meeting be given to Sir Francis Burdett, for his distinguished patriotism in resisting those measures which he considers illegal, and for his ardent zeal to preserve the rights and liberties of Englishmen, for his able and judicious Argument in support of those opinions, for his general Parliamentary conduct, and for his uniform endeavours to obtain a thorough and radical Reform in the representation of the Commons House of Parliament.

That the Deputy High Bailiff, with a Deputation of the Electors, be requested to convey the above Resolution to Sir Francis Burdett.

Resolved, That a humble Petition and Remonstrance, be presented to the Honourable House of Commons.

Resolved, That this Petition be signed by the Deputy High Bailiff.

And that the Representatives of this Borough be requested to present the same, and instructed to support it, and to take an early opportunity to move, in the next Session, for an effective Reform in Parliament.

Resolved, That a humble Petition be presented to his Majesty, praying him to discharge his present Ministers, and dissolve Parliament.

Resolved, That the Petition proposed be fairly transcribed, and presented to his Majesty by a Deputation of the Electors and our Representatives, Henry Thornton, Esq. and Sir T. Turton, Bart.

Resolved, That the thanks of this Meeting be given to the Rt. Hon. Lord Erskine, Sir Samuel Romilly, Knt. and Samuel Whitbread, Esq. for their general Parliamentary conduct, and their dignified support of the rights of the people.

Resolved, That the thanks of this Meeting be returned to Henry Thornton, Esq. and Sir Thomas Turton, Bart. our Representatives, for their steady support of Mr. Brand's motion for a Reform in the Representation of this country.

Resolved, That the thanks of this Meeting be given to the High Bailiff, for his readiness in calling this Meeting, and the Deputy High Bailiff for his impartial conduct in the Chair.

Resolved, That these Resolutions be printed in some of the Morning and Evening papers.

JOHN TOWNSHEND, Chairman.

OFFICIAL PAPERS.

AMERICA.—*Mr. Pinckney's Correspondence with Marquis Wellesley.*

Mr. Pinckney, in his letter to the Marquis Wellesley, of the 2d January, 1810, communicates the necessity of dismissing Mr. Jackson, and the desire of the President that he might be immediately recalled, and proceeds to observe:

"The President has been pleased to direct that I should make known this necessity to his Majesty's Government, and at the same time request that Mr. Jackson should be recalled. And I am particularly instructed to do this in a manner that will leave no doubt of the undiminished desire of the United States to unite in all the means best calculated to establish the relations of the two countries on the solid foundations of justice, of friendship, and of mutual interest. I am further particularly instructed, my Lord, to make his Majesty's Government sensible, that in requiring the recal of Mr. Jackson the United States wish not to be understood as in any degree obstructing communications which may lead to a friendly accommodation; but that on the contrary, they sincerely retain the desire which they have constantly professed, to facilitate so happy an event, and that nothing will be more agreeable to them than to find the Minister, who has rendered himself so justly obnoxious, replaced by another, who, with a different character, may carry with him all the authorities and instructions requisite for the complete success of his mission, or if the attainment of this object through my agency should be considered more expeditious or otherwise preferable, that it will be a course entirely satisfactory to the United States. —I have now only to add, my Lord, the expressions of my own most ardent wish, that out of the accident which has produced this letter, an occasion may be made to arise, which, improved as it ought to be, and I trust will be, by our respective Governments, may conduct them to cordial and lasting friendship. Thus to endeavour to bring good out of evil, would be worthy of the rulers of two nations, that are only in their natural position when they are engaged in offices of mutual kindness, and largely contributing to the happiness and prosperity of each other. I have the honour to be, &c. &c. WM. PINCKNEY."

The most noble the Marq. Wellesley, &c.

"*Foreign Office, March 14, 1810.*

"Sir;—The letter which I had the honour to receive from you under date of 2d January, together with the additional paragraph received on the 24th January, has been laid before the King.—The several conferences which I have held with you respecting the transactions to which your letter refers, have, I trust, satisfied you, that it is the sincere desire of his Majesty's Government, on the present occasion, to avoid any discussion which might obstruct the renewal of amicable intercourse between the two countries.—The correspondence between Mr. Jackson and Mr. Smith has been submitted to his Majesty's consideration.—His Majesty has commanded me to express his concern, that the official communication between his Majesty's Minister in America and the Government of the United States, should have been interrupted, before it was possible for his Majesty, by any interposition of his authority, to manifest his invariable disposition to maintain the relations of amity with the United States.—I am commanded by his Majesty to inform you, that I have received from Mr. Jackson the most positive assurances, that it was not his purpose to give offence to the Government of the United States, by any expression contained in his letters, or by any part of his conduct.—The expressions and conduct of his Majesty's Minister in America having, however, appeared to the Government of the United States to be exceptionable, the usual course in such cases would have

been, to convey, in the first instance, to his Majesty, a formal complaint against his Minister, and to desire such redress as might be deemed suitable to the nature of the alleged offence.—This course of proceeding would have enabled his Majesty to have made such arrangements, or to have offered such seasonable explanations, as might have precluded the inconvenience which must always arise from the suspension of official communication between the friendly powers.—His Majesty, however, is always disposed to pay the utmost attention to the wishes and sentiments of States in amity with him; and he has therefore been pleased to direct the return of Mr. Jackson to England.—But his Majesty has not marked with any expression of his displeasure the conduct of Mr. Jackson, whose integrity, zeal, and ability, have long been distinguished in his Majesty's service, and who does not appear on the present occasion to have committed any intentional offence against the Government of the United States.—I am commanded to inform you, that Mr. Jackson is ordered to deliver over the charge of his Majesty's affairs in America to a person properly qualified to carry on the ordinary intercourse between the two Governments, which his Majesty is sincerely desirous of cultivating on the most friendly terms.—As an additional testimony of this disposition, I am authorized to assure you, that his Majesty is ready to receive, with sentiments of undiminished amity and good will, any communication which the Government of the United States may deem beneficial to the mutual interest of both countries, through any channel of negociation which may appear advantageous to that Government.—I request you will accept the assurances of the high consideration with which I have the honour to be, Sir, &c. WELLESLEY."

William Pinckney, Esq. &c.

Letter from Mr. Adair to the British Consul at Smyrna, dated Constantinople, Feb. 22.

"Sir—His Majesty having been graciously pleased to permit me to return to England, I have to acquaint you, that, unless very unexpected events should detain me, it is my intention to leave Constantinople whenever the season becomes favourable.—I should long ago have executed this intention, had I not perceived that the peace between Austria and France, and especially that article of the Treaty, which carries the boundary of France to the Saave, revived a hope in our enemies, of engaging the Porte to break with Great Britain.—France had insisted on having created, evidently with a view of dictating the law at Constantinople. That her first act of good neighbourhood towards the Turks, would be to compel them, if possible, to go to war with us; no man could doubt. That she would succeed I never had the slightest apprehension; yet, with the fullest reliance on the good faith and honour of the Porte, I did not think it right to quit the affairs of the British Embassy in a moment of even apparent difficulty, nor to sanction, by my sudden departure, the idle reports that had been disseminated, of approaching hostilities with this country.—The event has, in every way, answered my expectation; the threats of France are disregarded, every demand, injurious to our friendly relations with Turkey, has been rejected with indignation, and our enemies are themselves convinced, they will best consult their own interest by abstaining from a repetition of their own proposals.—Under these circumstances I quit the Embassy, without a fear for the stability of peace, and with the assurance that this powerful Empire is determined to assert its independence to the last, to adhere to its Treaties, and, if necessary to put forth its whole force to maintain them. "R. ADAIR."

"*Francis Merry, Esq.*
British Consul, Smyrna."

COBBETT'S

Parliamentary Debates:

The Fifteenth Volume of the above Work is in the Press, and will be published with all proper dispatch. All Communications will be carefully attended to; but it is particularly requested that they may be forwarded as early as possible.

Published by R. BAGSHAW, Brydges-Street, Covent-Garden:—Sold also by J. BUDD, Pall-Mall,
LONDON:—Printed by T. C. Hansard, Peterborough-Court, Fleet-Street.

COBBETT'S WEEKLY POLITICAL REGISTER.

Vol. XVII. No. 27.] LONDON, SATURDAY, JULY 7, 1810. [Price 1s.

TO THE

READERS OF THE REGISTER.

The notoriety of what has taken place with respect to me renders it almost unnecessary for me to say any thing in the way of apology for once more sending my Register forth to the public without containing any thing written by myself. The time I had to remain at home was not a tenth part sufficient for the making of any thing like a due preparation for my departure. On Wednesday morning, about five o'clock, I left my home and family: yesterday I had to appear in the Court of King's Bench; and now, for the first time in my life on any account whatever, I am a prisoner, after having been a public Writer for ten years in England, and never having before been even called in question, never having before had even proceedings commenced against me, in any shape, for any thing written by me.——In such a situation to set about writing for the information or amusement of the Public would be the height of affectation; for every one must *feel* that it is, under such circumstances, quite impossible to divert one's mind from those circumstances. Indeed, to be able to do this would argue a degree of insensibility, incompatible with private affection and public-spirited motives. It is impossible, that, so situated, I can *feel inclined* to write for the Press; and, this being manifest to every body, it must be equally manifest, that if I were to attempt to write now, I should *force* the task upon myself from motives arising merely out of considerations connected with the *proprietorship* of the Register; and, as I never have, in any one instance, written for *gain*, so I am resolved not to do it now.——*Yesterday*, exactly ten years ago, I landed in England, after having lost a fortune in America, solely for the sake of that same England; and *yesterday* saw me sent to a prison in that same England! It is quite impossible for me to banish reflections of this sort from my mind; but they are, in some measure, driven out by the contempt, which I feel for the venal slaves, who have seized upon this, as they regard it, moment of my depression, to misrepresent and insult me. I have now before me the SUN and COURIER news-papers, which, under the name of a report of the proceedings in the Court of King's Bench yesterday, has most grossly and basely misrepresented all that I said or did upon that occasion.——I shall, as soon as possible, give a *true* account of the whole of these proceedings; and, in the mean while I beg the public wholly to *suspend their judgment* as to every part of my conduct and my intentions.

WM. COBBETT.

King's Bench Prison, 6 July, 1810.

RESOLUTIONS, PETITIONS, REMONSTRANCES, *&c. on the* LIBERTY OF THE SUBJECT *and* PARLIAMENTARY REFORM; 1810.

(Continued from p. 944.)

COVENTRY.

At a very numerous Meeting of the Inhabitants, Householders, and Electors of this City, held at the County Hall, the 5th

of June, 1810, pursuant to public notice, to take into consideration the alarming state of the nation—the extraordinary Power recently exercised by the House of Commons, and imperfect representation of the people in Parliament, Mr. Flavel in the Chair. After many excellent observations and remarks on the propriety of the Meeting, by several gentlemen, the following Resolutions were unanimously agreed to:—

Resolved, 1. That it appears to this Meeting the undoubted right, and imperious duty of the people, whenever their safety, prosperity, and liberties are endangered, to assemble in public, and declare their opinions thereon.

2. That this Meeting cannot contemplate the distressing change they have witnessed in their native land, within the last few years, without feeling themselves called upon to protest against a longer perseverance in measures, which have brought the country from a pre-eminent rank among the nations of Europe, to the most alarming state of calamity and danger.

3. That while we deprecate, as ruinous and unwise, the system which has produced this woeful change—which has turned the arms of almost every foreign power against us—which has led to the establishment of an inquisitorial system of Taxation, that deprives the people of all reasonable enjoyments, and prevents their just complaints from reaching the ear of their Sovereign—We feel it our duty to remonstrate against the extraordinary assumption of power recently exercised by the House of Commons, in imprisoning two of our fellow subjects, without allowing them a fair Trial by a Jury of their Peers.

4. We declare before God and our Country, that we ascribe all our calamities and disgraces, to the imperfect Representation of the People in Parliament. We have observed the same sort of majorities, as if there had been no ruinous and destructive expeditions—no wrangling and fighting ministers; and we believe in our consciences, that nothing can save the Country from impending ruin, but a Parliamentary Reform.

5. That the late rejection of Mr. Brand's motion, to improve the Representation of the Country, is an additional proof of the necessity of our earnest and persevering endeavours to obtain that desirable object.

6. That the Speech recently made by Mr. Canning, the pistolling Privy Counsellor, calling the Friends of Reform "a vain, contemptible, degraded crew—too weak to be respected—and too despicable to be feared," is grossly insulting to the feelings and understandings of a great Majority of his Majesty's loyal Subjects.

7. That Peter Moore, esq. and William Mills, esq be requested to present the Address (now read) to sir Francis Burdett, approving of his general conduct.

8. That the Thanks of this Meeting are due to our Representative, Peter Moore, esq. for the Votes he has given during the present Session of Parliament, for his enlightened arguments and suggestions on the subject of Finance; which cannot but be gratifying to a heavily burthened and oppressed People—and that we feel peculiar satisfaction in acknowledging, that on the discussion of every important question, he has been found at his post.

9. That the Thanks of this Meeting are due to the Right Honourable Lord Erskine, for his splendid and unanswerable arguments in vindication of the established Law of the Land.

10. That the Thanks of this Meeting are also due to Lord Folkstone, Lord Cochrane, Sir S. Romilly, knt. Gen. Mathew, Col. Wardle, S. Whitbread, esq. W. L. Madocks, esq. H. C. Combe, esq. Hen. T. Brand, esq. and the rest of those Independant Representatives of the People, who are friends to Reform.

11. That Peter Moore, esq. and Wm. Mills, esq. be requested to present the Address and Petition to the House of Commons, (now read) from this Meeting on these important subjects; and that they be further requested to support the same.

12. That Mr. Flavel, by his impartial conduct in the Chair, this day, is entitled to the Thanks of this Meeting.

13. That the foregoing Resolutions be advertised in the Alfred, or Westminster Gazette, and Coventry Herald.

WILLIAM FLAVEL, Chairman.

The following ADDRESS and PETITION to the House of Commons, and LETTER to SIR FRANCIS BURDETT, were unanimously agreed to, at a numerous Meeting of the Inhabitants, Householders, and Electors of the City of Coventry, held at the County Hall, the 5th day of June, 1810.

To the Honourable the Commons of the United Kingdom of Great Britain and Ireland, in Parliament assembled.

The ADDRESS and PETITION of the

Inhabitants, Householders, and Electors of the City of Coventry, at a public Meeting, held this 5th day of June, 1810.

"We the Inhabitants, Householders, and Electors of the City of Coventry, beg leave to approach your Honourable House, as a necessary branch of that system, yourselves, individually, have solemnly engaged to preserve inviolate.—We feel particularly called upon at this awful conjuncture of affairs, when the very existence of our native land appears to be at stake, to represent in the plain language of truth, our feelings and opinions on the origin of those evils, that have reduced our once justly envied country, to its present alarming state of difficulty and danger.—To shut our eyes to the gathering clouds;—to be aware that a mighty storm threatens our safety, and not to express our apprehensions of the consequences, would be Treason against our Sovereign—against the venerable nobility of the land—against you—against ourselves—against posterity! !—We, therefore, speak without dissimulation, and at once tell you, according to our honest judgment—CORRUPTION, practised in the management of public affairs, (which if not countenanced by your Honourable House, has been suffered to prevail to an unexampled extent) is the grand source of all our evils.—We respectfully entreat your Honourable House to reflect on the state of Europe, twenty years past, and compare it with its present state—we would beg you to consider the lamentable change that has taken place in this kingdom, within the same period, and then calmly appeal to your consciences, and enquire, whether the measures pursued by the different administrations, during this eventful time, have been marked either by a regard for the welfare of the human race, or the principles of sound policy;—unfortunately for us, the result presents a distressing conclusion. By the measures that have been adopted, we find our country deprived of nearly every foreign alliance, and the arms of almost every foreign power turned against us; the national debt swelled to an enormous amount;—the people groaning under an inquisitorial system of taxation;—and although in the midst of plenty, unable to obtain a due quantity of the common necessaries of life, for the maintenance of their families, however incessant their labour.—These are calamities which we feel it our imperious duty to represent to your Honourable House, from a conviction they endanger your safety as well as our own.—We cannot look back to the proceedings recently exercised by your Honourable House, in seizing and imprisoning John Gale Jones, and Sir Francis Burdett, under an undefined authority, without the deepest regret; assuring your Honourable House, that (divested of all prejudices) it is our firm belief you have acted contrary to the fundamental principles of those laws, you have sworn to defend.—As Englishmen, we are willing to acknowledge, and ready to support, with our lives, every privilege you are justly entitled to; at the same time we declare before God and our country, we had rather give up our existence, than surrender to any power on earth, those blessings and advantages which our forefathers purchased with their blood.—In offering this Address and Petition, far be it from us to entertain the most distant wish to lessen the authority, the importance, or the character of your Honourable House—but we cannot view the enormous patronage of the crown; the immense increase of sinecure places and pensions—we cannot witness the erection of barracks in every part of the kingdom—the introduction of foreign troops—our best interests neglected—the liberty of the subject restricted—good men persecuted—the just complaints of the people prevented from reaching the Royal ear—convicted defaulters and delinquents suffered to remain at large—the public revenue, and lives of our fellow countrymen, sacrificed in disgraceful expeditions—a traffic of seats in your Honourable House admitted and defended—the national credit injured—and Britain, the once justly boasted envy of the world, exposed to the most imminent danger, without jealousy and alarm.—Under these impressions, We pray your Honourable House, to bring back Parliament to its original duration;—to allow a more full and free suffrage of the people;—to apply those remedies in redress of the numerous grievances we have stated, which our excellent Constitution furnishes;—and to cultivate peace, as the means of obtaining the divine blessing and protection—and that your Honourable House may attend to the warning voice, ere it be too late, is our earnest supplication and prayer.

[Signed by twenty-four Individuals.]

To Sir Francis Burdett, bart. M. P.

Coventry, June 5, 1810.

Sir; We, the Inhabitants, Householders, and Electors, of the City of Coventry, intimately participating in the feelings expressed by your immediate Constituents, (the Independent Electors of Westminster,) on your present situation; and regarding you, as the honest and faithful Interpreter of the voice of a large majority of the people of England, beg leave most respectfully to address you.—Fully sensible of the unceasing sacrifices you have made in our behalf, and in support of the laws and constitution of the country, we have assembled together, this day, to declare our opinions on the present alarming state of public affairs; and particularly to offer you our most grateful thanks, for the dignified and faithful discharge of your public duty, in the most trying times; in opposition to that calamitous system, which (if persevered in) will, in our opinion, plunge our Country, and Europe, deeper and deeper in slavery.—We admire, and revere you, Sir, for the able and constitutional manner in which you pleaded the cause of John Gale Jones, in opposition to the undefined privilege of the House of Commons, and which was the leading cause of your present captivity; and we are persuaded, that if the acknowledged laws of the land do not very soon afford you redress, no man who has the virtue and honesty to arraign unjust proceedings, will be secure from the overwhelming effects of arbitrary power.—We anticipate, with pleasure, your speedy restoration to your anxious family, and are, very respectfully, Sir, your most humble servants. Signed in behalf of, and by the unanimous voice of the Meeting,

WILLIAM FLAVEL.

PARISH OF ST. DUNSTAN IN THE WEST, AND LIBERTY OF THE ROLLS.

At a Meeting of the Inhabitants, Householders, of the Parish of St. Dunstan in the West, and Liberty of the Rolls, held the 29th day of June, 1810, at Anderton's Coffee-house, Fleet-street: Mr. ROBINS, in the Chair; the following Resolutions were unanimously agreed to:—

That this Meeting have beheld, with the deepest regret and concern, the conduct of the Rev. Richard Lloyd, Vicar of this Parish, in originating, promoting, and signing a Declaration, said to have been agreed to and signed at a Vestry, held the 6th inst. at which Vestry he presided as Chairman.

That the Rev. Richard Lloyd, and those who signed the said Declaration, by charging those who entertain opinions different from their's, relative to Parliamentary Privilege and Reform, with bold and daring attempts, "to sow the seeds of dissention throughout the country," and with "Political Frenzy or Foul Sedition," assumed to themselves a power which belongs only to the Great Searcher of all hearts, and the Omniscient Dispenser of all human events.

That this Meeting, waving altogether the questions of Parliamentary Privilege and Reform, would deem themselves unworthy of the character of Christians and Freemen, were they to impute to those who differ from them on political topics, motives, wishes, and attempts, foul, seditious, and subversive of the Constitution.

That as this is the first instance in which, from the recollection of the oldest Inhabitants, the "internal concord" of this respectable Parish has been disturbed by political squabbles and uncharitable imputations, it is most earnestly recommended to the Rev. Richard Lloyd, to confine himself, henceforth, to the discharge of the duties of his Vicarial Office, and to remember, that the most exalted and exalting attribute of a Minister of the Gospel, is to allay the irritations, to soothe the animosities, to extinguish the prejudices of his flock, and to cultivate, promote, and confirm the evangelical doctrine of peace and good-will towards men.

That as the great objects of this Meeting have been to vindicate themselves against the charge of foul and malignant motives, and to re-establish the brotherly love and harmony which have so long united the Inhabitants of this Parish, and the Liberty of the Rolls, they decline passing any Resolution of Censure on Mr. C. Terry and Mr. J. Jefferson, Churchwardens; but feel it necessary to remind these Gentlemen, that the very nature of their office requires, at all times, a strict adherence to the principles of benevolence and conciliation, and that the impartial discharge of their duties is their best recommendation to the good opinion of the Inhabitants.

That this Meeting, indissolubly attached to the British Constitution, composed of King, Lords, and Commons, with their respective Prerogatives, Rights, and Privi-

laces, established by the glorious Revolution of 1688, cannot separate without a declaration of their privilege and assurance, that they will not cease to venerate, love, and defend [illegible] with all the strength and means they enjoy, under Divine Providence, against unprincipled and overwhelming tyranny, lawless anarchy, and desperate innovation.

Mr. Downes being called to the Chair, the thanks of the Meeting were unanimously voted to Mr. Robins, for his able and impartial conduct as Chairman; and to Mr. Quin, for the spirit, independence, and perseverance, evinced by him, throughout the whole of the proceedings.

QUESTION *as to the Practice exercised by the two Houses of Parliament of construing Libel into Contempt, and punishing it by their own Order.*

[*From the Morning Chronicle.*]

We have stated what, in the general opinion, is the true and only justification of the exercise of the right of commitment for a contempt arising out of libel, namely, that the misdemeanor is likely to have such an instantaneous effect as an obstruction, or of such a violent character in point of force, as to make it dangerous to wait for the slow remedy of the law; and therefore the necessity of the case warrants the summary proceeding. But where the ordinary tribunals are in full jurisdiction, and where the constructive contempt of libel is committed out of doors at a distance from the House of Parliament, a mere animadversion or censure on their proceedings, accompanied by no outrage, distributed by no mob at the doors, nor placarded within the precincts, the misdemeanor, however palpably criminal, ought to be left to the Courts of Justice. In the memorable Debate, on the motion of Constantine Phipps, afterwards Lord Mulgrave, in 1771, for taking away from the King's Attorney General the dangerous power of filing criminal informations *ex officio*, as well as in the great debate which grew out of it, on the motion of Mr. Serjeant Glynne; the opinion of all the most considerable men was, that though the right of removing obstruction by commitment must be maintained for their own security, yet it was a right that ought only to be used in extreme cases; for when exerted in ordinary instances, the public mind must revolt at the harshness of unnecessarily depriving the subject of his indubitable right to Trial by Jury. This was held by Mr. Dunning, Mr. Wedderburne, Sir George Savile, Mr. Burke, &c. &c.; and indeed it has been the sentiment of every constitutional man. It has been recently recognised in the Courts. When Mr. Stockdale was sent by the House of Commons to trial in the Court of King's Bench, for a libel, which they called a Breach of Privilege, the Counsel for the Defendant asked, why the House had not punished the delinquent themselves? To this the then Attorney General replied in these words:—

"My Learned Friend says—Why don't the House of Commons themselves punish it?—Is that an argument to be used in the mouth of one who recommends clemency? Does he recommend this iron hand of power coming down upon a man of this sort; and not temperately, wisely, judiciously, bow to the common law of this country; and say, let him be dealt with according to that common law? There he will have a scrupulously impartial trial; there he will have every advantage that the meanest subject is entitled to."

Trial of John Stockdale, p. 88.

This has ever been recommended by every considerate man also, because it is well known that this boasted privilege can only be exercised without controul against their own Members or against their own Constituents. The more dangerous case of a contempt by libel committed by a Peer they could not punish by summary commitment. Nay, as has been proved, they would be without remedy—if their order was opposed by the spirit of a Court of Justice; for if they were to send their Mace for a Judge, as the House of Lords did in the instance of Judge Berkeley in 1640, would he come when they called?

In 1798 we accumulated a volume of materials on this great constitutional question.

Among others we submitted the following Queries on the case to Mr. Fox, whose knowledge of the law and usage of Parliament will be admitted by all; and when his high notions on this subject are remembered, his opinion will be read with [illegible] interest:—

QUERIES addressed to the Hon. C. J. Fox.

Query 1. Though the House of Lords, as well as every Court of Justice, have the power of protecting their proceedings from unlawful obstruction, can this right

extend to the commitment for the misdemeanor of libel?

2. Has the House of Lords, either in its judicial or legislative capacity, any power of commitment beyond that of the House of Commons, the latter never committing for a time certain, nor imposing a fine?

3. Has the House of Lords, in fact, any greater power over contempt, or breach of privilege in the exercise of its judicial functions, than in its legislative capacity?

4. Does not the principle of your Bill, by which it is declared that in matter of libel, the whole case shall be left to the jury, who shall pronounce a verdict of Guilty or Not Guilty thereon, extend to the two Houses of Parliament as well as to Courts—so as to do away all summary proceeding on libel, under the construction of its being a contempt?

5. Can the power of summary commitment be legally exercised, or at least justly and agreeably to precedent, against an individual, upon the mere proof of his being the Proprietor of a Newspaper, but without any proof of his knowledge of the matter comprained of?

6. Supposing the right of commitment to exist, can the House of Lords commit an individual for any cause, as for breach of privilege, for a term certain, and adjudge him to pay a fine?

7. What mode of redress would, in your opinion, be the constitutional course for me to pursue in this case of commitment by the House of Lords, on the constructive contempt of a libel?

To which Mr. Fox, with his usual condescension, sent us the following answer:

Dear Sir; I should be extremely glad to be in any way serviceable to you upon the present occasion, but I cannot think my opinion on a case of this sort as of any value in comparison with that of professional men; especially as redress, if any, must be had in Courts of Law; for, I presume you cannot think that in the present state of things there is any chance, even the smallest, of either House of Parliament listening to any thing that can be offered on the subject. However, I will endeavour to answer your Queries.

1. There can be no right of committing but for contempt, but an act which comes properly under the description of a contempt, is not the less a contempt for being also a misdemeanor. Indeed it is difficult to conceive a contempt which would not be a misdemeanor.

2. I do not think the House of Lords, in any capacity has powers of commitment beyond the House of Commons. That, I believe, such powers of commitment have been exercised by it, and I fear, without the reproof which such exercise ought to have drawn from the House of Commons.

3. I should think the House of Lords has no more power in its judicial than in its legislative character, in respect to breaches of privilege and contempts, if in truth it can be properly said to have two distinct characters, which I doubt.

4. My Libel Bill has nothing to do with the jurisdiction of the Houses of Parliament. Its principle, however, may be urged as an argument to induce a Court to be cautious of judging libel without the assistance of a jury, except in cases of great urgency.

5. I should think the question of a Proprietor of a Newspaper being criminally responsible for its contents, a very doubtful one, and indeed I should strongly incline to the negative; if the point had not, as I conceive, been often determined and acquiesced in.

6. I believe the right of the House of Lords to fine, stands solely upon practice, and I have little doubt of its being an usurpation; as to its right for committing for a term, I have given my opinion in my answer to Query 2.

7. The proper channel for redress against the House of Lords, is a petition to the House of Commons; but that in the present state of things cannot be thought of. Whether or not there can be a civil action against the gaoler for false imprisonment, is a question for professional lawyers; and upon this a good deal of the old dispute on the case of Ashby and White, would come in play; with this material difference, that the objection, which was urged in that case to the possibility of the House of Lords, in case of appeal, becoming judge of the privileges of the Commons, would lie here as strongly (though in a different view) to the House of Lords becoming by appeal judge of their own act.

I have now answered your Queries as well as I can. The conduct of the House of Lords seems to have been very harsh, especially as the paragraph in question, I understand (for I have not seen it) to be of that sort from which your paper is of all others the most free. But harsh as it is, I do not know that it is contrary to precedent, or otherwise illegal, than with

respect to the term and the fine, and I do not know that my opinion upon these points is that of any other person, much less the general one. Every Court appears to me to have usurped powers in cases of contempt beyond the necessity of the case, and the House of Lords more than any other, possibly, because there is no appeal from it, except to Parliament, of which they make a part. By the way it is observable, that the House of Commons, which of all Courts has been the most moderate in exercise of power of this sort, is the Court whose power and right has oftenest been called in question. Mr. Erskine's whole letter seems to relate more to ordinary Courts of Justice than to the Houses of Parliament; but even in the case of such Courts, if a man were to write contumaciously of the manner in which a Judge gave judgment, I suspect he would certainly be attached for a contempt; though this case is not mentioned by Mr. Erskine, nor does it come, perhaps, strictly within the line of his argument. Now if this be so, it is clearly a contempt of the House of Lords to animadvert contumaciously on the speeches of its members, and perhaps more clearly than in the other case, inasmuch as to print the speeches at all is a breach of Privilege. In compliance with your wishes, I have given you my opinion at large, which, however, I consider of very little value, and indeed all the questions of particular and detailed usurpations and abuses appear to me to become of little moment, at a time when the whole Constitution is in such a deplorable state. The proceedings against you, I suspect to be only a beginning of a persecution against the liberty of the press in general, and a part of that system of terror which our Rulers are so fond of. I am, with every good wish, dear Sir, your's ever, C. J. Fox.

St. Anne's-hill, 28th March, 1798,

JAMES PERRY, Esq.

*** The Letter of Mr. Erskine, to which Mr. Fox alludes, is that which will be found at p. 656.

THE DUKE OF CUMBERLAND.

A correct Copy of the Evidence upon the Inquiry relative to the Assault made upon his Royal Highness the Duke of Cumberland by Joseph Sellis.

Middlesex.—The Information of his Royal Highness ERNEST AUGUSTUS Duke of CUMBERLAND.

Who, being upon his oath, saith that before three o'clock this morning being in bed and asleep, he received two blows upon his head, which awoke him, and upon starting up, he received two other blows upon his head, which, being accompanied with a hissing noise, it occurred to him that some bat had flown against him, being between sleeping and waking, and immediately received two other blows; there was a lamp burning in the room, but he did not see any body; that there was a night table standing near the bed side, where a letter lay which is covered with blood. His Royal Highness says, he then got up and made for the door, which opens at the head of the bed; he then received a wound upon his right thigh with a sabre; he then called out to Neale, his page, and said there was a murderer in his room, and upon returning to his bed-room with Neale, he perceived that the door leading to the yellow room was wide open, which is always locked the last thing when he gets into bed; a naked sword had been dropped, which he supposes must have given the wound in his thigh. The man who gave the blows never spoke a word, and, upon Neale returning with his Royal Highness, the man had fled through to the yellow room which leads into the ball-room, through the other yellow room into the armoury, to the summer bed-room through the dressing-room into Sellis's room (the page whom his Royal Highness believes gave him the wounds.) His Royal Highness then went down stairs with Neale, and ordered the doors to be secured, that no person might escape out of the apartments. His Royal Highness further states that upon his return into his bed-room, he discovered that the sword which lay upon the floor was his own regimental sword, and in the closet at the foot of his bed was found the scabbard, with a pair of slippers belonging to Sellis, and the key of the closet-door, which is usually on the side of the door next the room, was found on the inside of the door next the closet; there was also a dark lantern in the closet and from these circumstances he has reason to believe, and doth believe, that the blows and wounds he received were given him by the said Joseph Sellis. His Royal Highness further saith, that the said Joseph Sellis had not incurred his displeasure

and that he had not any reason to think ill of him.

The mark of
Sworn before me, this ✕
21st May, 1810, His Royal Highness
J. Read. the Duke of
Cumberland.

Middlesex.—The Information of Cornelius Neale, Valet to his Royal Highness the Duke of Cumberland,

Who, being upon his oath, saith, that whilst he was in bed in a room adjoining the bed-room of his Royal Highness, a little before three o'clock, he heard his Royal Highness call out "Neale! Neale! I am murdered!" upon which he got out of bed, and met the Duke of Cumberland at the door. His Royal Highness said the murderer was in his bed-room. Informant says he instantly darted into the bed-room of his Royal Highness and seized the poker, and then perceived that the door leading into the yellow room was wide open, which he immediately ran to, and set his foot upon a naked sword which was lying upon the floor just by the door. He took up the sword and asked leave of his Royal Highness to pursue the assassin; but his Royal Highness desired he would not, but to call the servants. His Royal Highness then lent upon informant's arm, and they went together into the porter's room, and called the porter, and he was ordered by his Royal Highness not to suffer any person to go out of the house. They then returned up stairs again, and upon going up stairs they met Mrs. Neale, whom his Royal Highness desired to call Sellis. She ran to his bed-room and came back again, and said the door was locked. His Royal Highness then finding himself faint from loss of blood, lay down upon the bed. His Royal Highness then desired informant to look after the assassin, and to find out where he could have been concealed. Informant opened the door at the foot of the bed leading to a small room which has three closets; the water closet, the closet where informant supposes the assassin had concealed himself, and another closet for dirty linen. In the closet where he supposed the assassin was concealed, informant found a pair of black leather slippers, with the name Sellis written in each slipper, which informant believes to be of the hand-writing of Joseph Sellis, an Italian, one of the valets of his Royal Highness the Duke of Cumberland; there was also a dark lantern, a bottle of water, and the scabbard of the sword which was found upon the floor in the bed-room; there was also two pistols, which are used in the day time for ornamenting the bed of his Royal Highness, and the key of the closet was in the inside of the door, which was not used, and could have been of no use but for the purpose of locking the door, where he supposes the assassin had concealed himself. Informant saith, about this time a report came to the Duke that Sellis was murdered. Informant saith, that he assisted his Royal Highness to go to bed. About this time Mr. Home, the surgeon, came, and this informant assisted him in binding up his wounds. Informant saith, there are several wounds upon his Royal Highness's head, one upon his throat. That the back of his right hand is cut across, and that there are wounds upon his left arm, and a wound upon the back of his right thigh, and he has reason to believe that all the wounds were given by the sword found upon the floor in the bed-room, which was very bloody. Informant saith, that between the Duke's room and informant's room, there are three doors, but only a wainscot partition between the beds. That he never heard any noise till the Duke called out, Neale! Neale! I am murdered! Informant saith, that he attended his Royal Highness to bed last night about twelve o'clock; and after his Royal Highness had passed the yellow room, (which he always does when he goes to bed), informant shut the door and is very sure he locked it; and he afterwards remained in the Duke's room until his Royal Highness got into bed. No other person was in the room, and his Royal Highness desired informant would call him at seven o'clock. Informant went out by the doors leading to his own room, and ordered the house-maid to light his Royal Highness's fire at six o'clock; he then went to his own room, and went to bed. The doors between his Royal Highness's bed-room and the bed-room of this informant, were shut, but not locked. His bed-room door next the passage is always open; that he is very wakeful, and if any one had come in that way, he must either have heard or seen him; and there being no other entrance to his Royal Highness's bed-room but the door from the yellow room, which he left locked, this informant verily believes that the said Joseph Sellis, or some other person who made the assault upon his Royal

Highness, must have concealed himself in [illegible] where he found the slippers, the dark lantern and the scabbard of the sword. Informant saith, that the said Joseph Sellis had taken out his Royal Highness's uniform and the sword, and brought them into his bed-room for a regimental inspection, which did not take place, and Sellis afterwards returned the regimentals to the wardrobe, but left the sword in the bed-room, where informant believes he saw the sword some time yesterday.

CORNELIUS NEALE.

Sworn before me, May 31, 1810,
J. READ.

Middlesex.—The Information of ANN, the Wife of CORNELIUS NEALE, Housekeeper to his Royal Highness the Duke of CUMBERLAND.

Who being upon oath, saith, that she was called up this morning, about three o'clock, by her husband, and at the same time heard his Royal Highness exclaim that he had been murdered. Upon going into Mr. Neale's room (called the Page's Room) she found his Royal Highness bleeding very much. Mr. Neale was with him. His Royal Highness desired her to call the servants, and after his Royal Highness had got back to his bed-room, she went and called Joseph Sellis at his room door, but no one answered; the door was fast. The porter was with her, and tried to open it, but could not. He then knocked very violently at the door, but no one answered. She then tried to open the door of the yellow-room, leading to the ball-room, but could not open it, and found afterwards that the door was bolted within-side, which she never knew it to be before. Informant saith, that she then returned by the ball-room through the yellow-rooms, and through the summer-rooms, to get at Sellis's room the other way, and thinks five or six minutes had elapsed since they tried at the first door, and just as she got to the bed-room door she heard a guggling sort of noise like water in a man's throat, and heard a dropping on the floor like water, and the porter looked into the room and exclaimed, Good God! Mr. Sellis has cut his throat; upon which she became very much frightened, and went away, and desired the porter to get assistance. Informant says that the folding doors leading from the ball-room into the yellow-room were shut, and all the other doors from the ball-room to Sellis's room were open.

ANN NEALE.

Informant further saith, that she has known Joseph Sellis for near twelve years, and for the last five years he has lived in his Royal Highness's service; says that he was very obstinate and quarrelsome, and would not bear contradiction, not even from his Royal Highness, and would never acknowledge himself in fault. Had observed nothing particular in his deportment lately. He had been ill for three weeks or a month of a violent cold, but was getting the better of it. Informant says that his Royal Highness had been very kind to him, and about a week or ten days ago had permitted him to go within the carriage, instead of riding on the outside, which he had been accustomed to do. She has no reason to believe that he had any grudge to his Royal Highness; that during his illness his Royal Highness permitted him to go to bed, instead of sitting up for him, which it was his place to do every third night. That during the last four or five years his Royal Highness has allowed his wife and family to live in the house, with an allowance of coals and candles. That (after the birth of the last child) about three months ago, his Royal Highness and the Princess Augusta stood for the christening by proxies, and she has heard Sellis say, that the Queen had made him a present of two pieces of Indian muslin, and that the Princess Augusta had also given him a piece, with several other presents for the child's baptism. Informant saith, that the Duke of Cumberland was very partial to Sellis, and always had him to travel with him. Says that he lived very much to himself, and was very distant with all his Royal Highness's other servants. His principal acquaintances were a Mr. Greville, page to the Duke of Cambridge; and a Mr. and Mrs. Dupre, wax-chandler, in Jermyn-Street. Mrs. Dupre was Mrs. Sellis's confidential friend. Informant says that there are a pair of green doors across the gallery which separates his Royal Highness's apartments from the Queen's Public Rooms, which are always kept locked, of which she has the key; but there was another key which Sellis had, and which he informed her his Royal Highness had permitted him to get made in order that he might pass from his Royal Highness's apartments to where his wife lived without going out of doors, and that he must

have passed that way yesterday. Informant further says, that in passing through the ball-room and the yellow-room adjoining, she found the upper part of the window shutters open in the ball-room, the yellow-room adjoining, and one in the spare bed-room, which were usually shut at night.

ANN NEALE.

Sworn before me, May 31, 1810,

J. READ.

Middlesex.—The Information of BENJAMIN SMITH, Porter to his Royal Highness, the Duke of CUMBERLAND.

Who being upon his oath, saith, that this morning, at about a quarter before three o'clock, he was called up by his Royal Highness and Mr. Neale, the Valet. Neale cried out, his Royal Highness is murdered. That he immediately got up, and saw his Royal Highness all over blood. They desired him to alarm the servants, and having armed himself with a sword, he then went and gave directions to the sentries to stop every one who should come out of the door. The outer door was fastened, and the area door was locked. He returned and met Mrs. Neale, the housekeeper, and the yager, and they went to the door of Sellis's room. Informant says he called through the key-hole of the door, and knocked at the same time with the sword he had in his hand, but no one answered, and they thought that Sellis could not be there; informant says he was then sent to Sellis's wife's apartments, and one of his children answered that he was sleeping in the house, meaning the Duke's private apartments. He then went round with Mrs. Neale and the yager through the drawing-room and the summer apartments, and thinks ten minutes might have passed from the time he knocked at the first door (but being frightened he cannot speak to the exact time); that just as they got near the door of Sellis's bed-room, he heard a guggling noise, that appeared to him to come from the throat of some person; he thinks Sellis's room door was open, but neither he nor Mrs. Neale, or the yager went in, but being very much frightened, and suspecting from the noise they heard that some other person had been murdered, they went back again to get further assistance. Informant further says, that in passing through the ball-room, and the summer apartments, he perceived the upper part of some of the window-shutters a little upon the jar. Informant says that Joseph Sellis came into his apartment last night before the Duke came from Greenwich, and asked who was for Windsor; and was answered the yager. [illegible] then asked Sellis if the duke was going to Windsor to-morrow. Sellis answered that he believed the Duke intended so to go: that Sellis then went, as informant believes, up to the Duke's apartments, and he does not recollect that he saw him afterwards.

BENJAMIN SMITH.

Sworn before me, May 31, 1810,

J. READ.

Middlesex.—The Information of MATTHEW HENRY GRASLEN, Servant to his Royal Highness the Duke of CUMBERLAND.

Who, being upon his oath, saith, that he was called up this morning, about three o'clock, by Mrs. Neale, who said, Get up! get up! the Duke is murdered! Informant says he got up, and took a pair of pistols with him, and when he came to the sitting-room, next his Royal Highness's bed-room, Mrs. Neale desired him to call Joseph Sellis, but he was not able to find his way to the apartments where Sellis and his wife lived, and came back again, and then the porter went and brought back word that Sellis was sleeping in the Duke's house. He then went, in company of Mrs. Neale and the porter, to Sellis's room door, where they called and knocked, but no one answered. They then went round by the ball-room and summer apartments, and searched as they went on, till they came to the other door of Sellis's room, where they heard a noise like water in some man's throat, and the porter cried out, Sellis is murdered! The door of the room was open, but neither of them went into the room, they went back for further assistance. Informant says, that he saw Sellis last night about 8 o'clock, in the porter's room; he came there and asked who was for Windsor to-morrow. Informant says, he answered that he was. Informant further says, that in passing through the ball-room and the summer apartments, two window-shutters of the ball-room were a little open, and one window-shutter in each of the other rooms was a little open at the top.

MATTHEW HENRY GRASLEN.

Sworn before me, May 31, 1810.

J. READ.

Middlesex.—The Information of JOSEPH CREIGHTON, Serjeant in the Coldstream Guards.

Who being upon his oath says, that he was one of the Serjeants of the King's Guard on duty at St. James's, and was called from the Guard-room at half past three o'clock to his Royal Highness the Duke of Cumberland's apartments. When he entered the hall, he found two servants and was told that his Royal Highness had been wounded; and says, that he saw a good deal of blood in the hall, and upon the stair-case. That he went with two or three soldiers with arms up stairs, and went through the suite of apartments into the room where the dead man lay; the door was on the jar; the servant who preceded us turned back, and one of the soldiers took the candle out of his hand and went into the room, and informant followed him. They found a man, whom he has since understood to be Sellis, laying on his back on the bed, with his throat cut; his shirt was very bloody; a razor with a white handle lay on the floor, about two feet from the bed. Sellis had on a pair of pantaloons and stockings, but neither shoes nor coat, and if he had on a waistcoat it did not appear in front. There was a wash-hand bason standing on the table with a little water in it, appearing as if some one had been washing their bloody hands in it. Informant says he picked up the razor and put it upon the table; the razor was bloody. Sellis was quite dead when he came into the room, but not cold. There was no appearance of Sellis having struggled; his hands were straight down, and the blood all in a froth running from his neck.

J. CREIGHTON, Serj. Coldstream Guards.
Sworn before me, May 31, 1810.
J. READ.

Middlesex.—The Information of THOMAS STRICKLAND, Under Butler to his Royal Highness the Duke of CUMBERLAND.

Who being upon oath saith, that he saw Joseph Sellis last night about ten minutes before eleven o'clock in his Royal Highness's bed-room. He was standing by the dressing table, with what appeared to this informant to be a shirt in his hand. Nothing passed between us. Informant says he went there as it was usual for him to do to take up his Royal Highness's cup which he placed upon the stand by the bed-side. Informant says he was not surprised at seeing Sellis there, as he did not know but it was his turn in waiting. Sellis looked earnestly at him, and had a smile upon his countenance, but did not speak. Sellis had his coat on, but he did not observe any other parts of his dress, nor did he take notice whether there was or not a sword in the room. Says he had very little intercourse with Sellis, but when he had any, he always found him to be a very civil man. He left Sellis in the Duke's room, and never saw him afterwards. THOMAS STRICKLAND.
Sworn before me, May 31, 1810.
J. READ.

Middlesex.—The Information of SARAH VARLEY, Housemaid to his Royal Highness the Duke of CUMBERLAND.

Who being upon her oath, saith, that it is her business to shut up the window shutters of the ball-room and the rooms upon the same floor, and that last night she shut all the window shutters, but without putting up the bars, and that she shut all the doors except the door leading into Sellis's room from his Royal Highness's dressing-room: that she took the two bolsters and coverlid which dress the bed in the day time off from the bed between nine and ten o'clock last night, and placed them in a closet leading to the water closet, and that she locked the door, leaving the key in the door on the side next the room; she does it every night, and is perfectly sure she did it last night. Informant says that at the time she placed the bolsters in the closet there was no sword there nor any slippers or dark lantern; that she has just come from the closet where she placed the bolsters, and says, they are now in a very different position from that she left them last night; informant further says that she was in the housemaid's room last night about ten o'clock; Sarah Tetherhead and Margaret Jones were there; Sellis came in and desired Margaret to put the sheets upon his bed, saying, I shall sleep here to-night, because I think the Duke is going to Windsor to-morrow; Margaret answered Very well, Sir, and then Sellis went away. SARAH VARLEY.
Sworn before me, 31st May, 1810,
J. READ.

The further Information of SARAH VARLEY.

Who being upon her oath, saith, that she has seen and examined the lantern which was found in the closet where she placed the bolsters, and says, it is a small brown lantern, and hath glass sides, and has tin sliders to each glass to make it quite dark; that she has seen a lantern

like it once or twice standing upon the drawers in Mr. Sellis's dressing-room, and she hath seen him with a lantern very like it in his hand in the gallery once or twice; thinks it was above a month ago since she saw the lantern stand upon the dressing-table, and is very sure that it was a square lantern. SARAH VARLEY.

Sworn before me, 1st June, 1810,
J. READ.

Middlesex.—The Information of ANTONIO RANZERA.

Who, upon his oath, says, that he has lived with his Royal Highness the Duke of Sussex, as his valet de chambre, about three years; that he knew Sellis by sight before he (this informant) came to live with his Royal Highness, and has seen him frequently since at Windsor, and in town, but that he never called upon Sellis unless he had a message to deliver from his Royal Highness the Duke of Sussex, nor did Sellis ever call upon this informant in town. He was in no habits of intimacy with Sellis. When his Royal Highness the Duke of Sussex and his Royal Highness the Duke of Cumberland were at Windsor, he frequently met him, and says, that Sellis has several times told him, that if he could get another place, he should be very glad to leave the service of his Royal Highness the Duke of Cumberland; giving as a reason, that he had a wife and a large family, and that he could not support them without better wages: that Neale, the other valet, had all the perquisites of the clothes, and that he (Sellis) lived upon ill terms with Neale. Informant saith, that on the 22d of this month he walked with Sellis for half an hour in Windsor Park, when he told this informant that he passed many unhappy hours, and that his situation was very uncomfortable, on account of a person in the house of the name of Neale, whom he could swear robbed and plundered his Royal Highness the Duke of Cumberland at different times. He said that his Royal Highness had used him ill, by very often speaking sharp to him, and that he thought if Neale was not there he should be treated better, and that Neale also used him very ill; and further says, that Sellis during this conversation appeared very much dejected, and more low in spirits than he had ever seen him before. Says he has never met Sellis at any other place except once or twice at the Opera, and does not know whom he associated with; that he was a man of very few words, and never said so much to him as he did on the day he has mentioned; but that whenever he has met Sellis, he has always expressed a wish to leave his Royal Highness the Duke of Cumberland. Says that Sellis always appeared to him to be a very mild man, and not addicted to drink.

ANTONIO PANZERA.

Sworn before me the 31st May, 1810,
J. READ.

Middlesex.—The Information of FERDINAND BURZIO, of Charles-street, Grosvenor-square, Jeweller.

Who being upon his oath, saith, that he has known Joseph Sellis about 14 or 15 years, has been in the habit of frequently seeing him, but not for the last five weeks. Before that time he used to call very often at the apartments of his Royal Highness the Duke of Cumberland, with articles of jewellery; but never met Sellis at any third place. Says that Sellis was a man who lived much to himself; that he always considered him a very orderly good man. Informant saith, that about five months ago Sellis came to his house, and asked informant to look out for a place for him. Informant said, Good God, what, do you mean to ruin yourself! You must not think for yourself, you must think for your family; upon that informant says Sellis left him, and went away apparently satisfied.

FERDINAND BURZIO.

Sworn before me, the 31st May, 1810,
J. READ.

Middlesex.—The Information of MARY ANN SELLIS, Widow.

Who, upon her oath, saith, that Joseph Sellis, her late husband, had been with her nearly the whole of yesterday; that he went to market, and afterwards walked with her and the children into the Park, and did not leave her till 10 o'clock last night, when he went away, saying he should sleep at the Duke's, in order that the maid might sleep with her to nurse the young child; when he went away the door was locked after him, and she never saw him afterwards. That when he walked with her in the Park, he had on pantaloons, with shoes and half-gaiters, and she verily believes he had on his shoes and gaiters when he left her at night, as she never saw him pull them off, and they are not left behind him, and that he scarcely ever wore slippers at home; in-

formant says, that her late husband had been ill of a violent cold for four or five weeks, but he seemed to her to be more than usually happy yesterday on account of their own child being better; informant says, that about a fortnight ago she heard him in conversation with her sister concerning his health, she overheard him say in answer to some observation that fell from her sister, that death is a debt we must all pay sooner or later; informant says, that he last night at supper talked much of preparations which were to be made for dressing the children for the birthday, and desired her to take care and get her gown in time, she having been busied in making up some muslin that had been given to her husband by the Queen and Princess Augusta for her and the children; informant further says, that to prevent her husband sleeping down stairs, she had put the child in the bed where the maid used to sleep, and told him she should not want the assistance of the maid in the room, but he told her that the Duke had said perhaps he might go to Windsor to-morrow morning, and therefore he should sleep below stairs, as upon those occasions he was accustomed to do. That he took no lantern with him, nor his gloves or hat; nor had he any lantern belonging to him but one, which is now in the house, and is the one which she now produces. That she never heard him make any complaint of his Royal Highness the Duke of Cumberland, but felt himself much gratified by the honour which his Royal Highness and the Princess Augusta had done him, by standing for their last child, and for the presents they had made them; and further says, that her Royal Highness the Princess Elizabeth had also sent her presents two years running. Informant says, that she knows of nothing hanging upon his mind; that he was not particularly straightened in his circumstances at that time, and she does not know that he was in debt, or that he owes any bill, but to the apothecary; that the tailor brought home some clothes for him this morning; that he never drank spirits, or any thing but beer to his meals; that he made her a little brandy and water last night for a spasm she had in her stomach, but did not touch it himself, although she asked him to do so. That he was always at home and devoted the whole of his time to her, not having spent one evening out since she last lay in, now about eight months ago; that Mr. Walden, the butter-man, and Mr. Greville, his Royal Highness the Duke of Cambridge's valet, were the persons she saw the most of, and they very seldom called upon him; that he did not belong to any club or meeting, and never went out of doors for a week together when any thing was the matter either with her or her children; that he had a key to the green baize doors which communicate with his Royal Highness's apartments, which he always kept himself, and wore it in his waistcoat pocket, and she heard him unlock the outer door last night when he left her, the same key opening that door as well as the green baize doors. That he took his clean linen down stairs with him, and promised to bring back his dirty linen this morning, and desired her to roast the veal to-morrow (meaning to-day), and that he would remind her of it when he came in the morning. That during his last illness he has frequently complained of a giddiness in his head, and when she has proposed to him upon these occasions to walk out in the air, he has always said that lying down would relieve him; she has asked frequently to consult an apothecary about his health, and his answer always was, that nourishing things were better than medicines. MARY ANN SELLIS.

Sworn before me, May 31, 1810,
J. READ.

The further Information of the said MARY ANN SELLIS.

Who being upon her oath, saith, that her husband never was accustomed to take any lantern or candle with him when he went from home into the Duke's apartments; that there is a lamp always burning on the stair-case leading to the gallery door; that there is no lamp at present between the first door and the green doors; she has heard that there used to be one, but the lamplighter had taken it away, and that between the green door and the Duke's bed room lights are always burning until the Duke goes to bed; informant saith that about two years ago she heard that her husband had some disagreement with his Royal Highness, owing to a quarrel that had taken place between her husband and Neale, and he then told her that he had wrote to his Royal Highness expressing a wish to leave his service, but that he got no answer to it. He said that Major Thornton and Capt. Stevenson had told him to make himself

happy and not to mind any thing about Neale's quarrel. Informant further saith, that she never had the least reason to believe that her husband was deranged. Informant further saith, that she remonstrated with him upon his wishes to go away, and stated to him the advantages which they received from apartments and coals and candles; and she says she expressed her wish to him that he would make himself happy and stay, and not to make her unhappy by talking to her of it again, and she says he has never mentioned it to her since, now about two years ago. MARY ANN SELLIS.

Sworn before me, June 1, 1810,
J. READ.

The Information of ANN HILL, Servant to Mrs. Sellis.

Who being upon her oath, saith, that she remembers seeing her master as he went from home on Wednesday night last; that she let him out and locked the door after him, and she says that he had on pantaloons and walking shoes.

The Mark ⋈ of ANN HILL.

This Witness was not sworn.

Middlesex.—The Information of SAMUEL THOMAS ADAMS, Esq. of Great Russel street, Bloomsbury.

Who being upon his oath, saith, that he was called in this morning upon the death of a servant of his Royal Highness the Duke of Cumberland, whose name is Joseph Sellis; and upon examination of the port-folio of the said Joseph Sellis, in his bed-room, where he now lies, he found the two letters now produced, marked A. and B. both signed Joseph Sellis, and appearing all in the same hand-writing; one of them addressed to his Royal Highness the Duke of Cumberland; the other addressed to Captain Stevenson. The one is dated 4th May, 1808, and the other is dated July 9, 1809.

SAM. THOS. ADAMS.

Sworn before me, May 31, 1810,
J. READ.

Copy of a LETTER marked A.

St. James's, July 9, 1809.

Sir; I am extremely anxious to know his Royal Highness's decision concerning the evidence produced before you against Mr. Neale, and I beg you, Sir, to have the goodness to relieve me from this most disagreeable suspense; if I may, Sir, judge from appearance, either his Royal Highness is not acquainted with what has been proved, or his Royal Highness has entirely forgiven him; should the former be the case, Sir, I hope you will have the goodness to acquaint his Royal Highness to the full extent of the roguery of this man; and here it may be necessary to say, that the witnesses you have examined are all of them ready to take their oaths in a Court of Justice, and there to assert what they have already said before you; but, Sir, should his Royal Highness have forgiven him, and then I must be under the most disagreeable necessity to beg his Royal Highness to have the goodness to dispose of me as his Royal Highness may think proper, so that I may not have the mortification to live and act in the same room with a man I have convicted as a rogue, and with whom no human being is able to live upon friendly terms. Had it been his Royal Highness's pleasure to have had this business in a Court of Justice, the man would have been transported at least for seven years, and what I am going to communicate to you now, is, I believe, transportation for life. I have been told, Sir, that Mr. Neale cheats his Royal Highness in every thing he buys; in two different articles I have already ascertained this to be the fact, on the tooth-picks he gains 50 per 100, by charging 9*s.* 6*d.* for that for which he only pays one shilling, and on the soap he charges two shillings for that which he only pays eighteen-pence; and should his Royal Highness wish me to proceed with these discoveries, it will be found that the dishonesty of this man has no bounds. The evidence you have taken, Sir, and what I have communicated to Major Thornton, with which also you must be acquainted, you must, Sir, be satisfied that this man is as great a villain as ever existed; no oath or promise is binding with him, he relates alike that which he must have sworn to keep sacred in his bosom, as he will a most trifling thing, and slanders, and threatens with public exposure and large damages, his benefactor and only maker of his fortune, just as he would one of his own stamp. Sir, to serve his Royal Highness I have always thought it as my greatest honour, and to serve him in any situation that his Royal Highness may be pleased to place me, shall always be the greatest pride of my life, but no longer can I live with this monster. I have, Sir, served his Royal Highness for nearly twelve years,

and would rather forego all my wishes and pretensions, and beseech his Royal Highness to allow me permission to look out for another place. To your goodness I trust, Sir, that you will lay my case before his Royal Highness and acquaint me with his Royal Highness's pleasure. I have the honour to be, Sir, your most obedient and most humble servant.

B. C. Stephenson, Esq. J. SELLIS.

Exhibited to me, May 31, 1810. J. R.

Copy of a LETTER marked B.

May 4, 1808.

May it please your Royal Highness; I take the liberty to beg your Royal Highness would have the goodness to take in your consideration the uncomfortable and most unpleasant way in which I travel. To be upon the carriage box has always been to me the most disagreeable of all grievances: I have, however, persevered to ride upon it without complaining, to please and gratify your Royal Highness, and in the hopes that when your Royal Highness's Brothers should discontinue to make their servants travel in the same way, that your Royal Highness would be pleased to follow their example. For this reason, I now take the liberty to mention to your Royal Highness, that his Royal Highness the Prince of Wales takes his servants with him in the carriage, or sends them in a post chaise. The Duke of Sussex has followed the Prince's example, and his Royal Highness the Duke of Gamridge, whenever his Royal Highness cannot take his servant in the carriage, sends him by the stage, or in a post-chaise (livery servants excepted.) I most humbly intreat your Royal Highness to discontinue a thing which has preyed in my mind, and has hurt me more than ten years hard labour could have done. I have the honour to be, Your Royal Highness's most faithful, and most devoted humble Servant, JOSEPH SELLIS.

Exhibited to me May 31, 1810,
J. READ.

Middlesex.—The further Information of SAMUEL THOMAS ADAMS, Esq. Coroner.

Who being upon his oath saith, that he came to the apartments of his Royal Highness the Duke of Cumberland about ten o'clock yesterday morning, and after viewing the body of Joseph Sellis, and after finding the letters mentioned in his former deposition, he looked round the room, and observed a pair of shoes at the foot of the bed, and a pair of [illegible] in the chair on the left-hand side of the chest of drawers. That upon observing the door of the room next the head of the bed to have no key in it, he made a search for it, and in the closet, the door of which was locked, and which he unlocked, he found the key which fitted the lock: the door was not locked, but fastened by a small bolt under the lock. And informant further says that this morning he directed a man to search the pockets of the deceased, and in his presence he took out of his right hand breeches pocket a key that unlocked the green baize door placed across the Gallery.

SAMUEL THOMAS ADAMS.

Sworn before me, June 1, 1810,
J. READ.

Middlesex.—The further Information of MATTHEW HENRY GRASLIN, Yager to his Royal Highness the Duke of CUMBERLAND.

Who being upon his oath, saith, that after he got to the door of Sellis's room, with Mrs. Neale and Benjamin Smith, the Porter, and found that Sellis's throat was cut, they thought the murderers were still in the house, and went to get further assistance; they first called up Ball, then White, and afterward Strickland and Richardson, who sleep together in one room. Informant says he told them all that Sellis had been murdered, and the Duke nearly so; some soldiers were then waiting in the hall, and Ball joined the soldiers and came up stairs with them.—Informant says that he and Mrs. Neale, and Smith, the Porter, staid below in the Porter's room—he thinks that not more than ten minutes had passed, when Ball and the soldiers went up stairs, from the time he, Mrs. Neale, and Smith, had left Sellis's room to go for assistance, and during that interval, he does not believe that any person went to the room.

M. HENRY GRASLIN.

Sworn before me, June 1, 1810,
J. READ.

Middlesex.—The Information of JAMES PAULET, Valet to his Royal Highness the Duke of CUMBERLAND.

Who being upon his oath, saith, that he was called up by Mrs. Neale, about three o'clock yesterday morning; he first saw the Duke in his own room, Mrs. Neale was holding of him; that he (informant) assisted in holding him: there were then

three lights in the room; the Duke said that he was murdered, and that the murderer must be in the room, the doors of the room were open. Mr. Neale wanted to go away to look after the murderer, but the Duke told him not, and desired us to call Sellis. Mrs. Neale went to call Sellis, and some one came and said Sellis was murdered. Informant says she did not quit the room till Mr. Home the Surgeon came, and that he, Mr. Home, and Mr. Neale, examined the closet, and found the scabbard of the sword, the lantern, a pair of slippers with Sellis's name in them, and a bottle of water. Informant says, that he staid in the room with the Duke till the Prince of Wales and the Duke's other Brothers came. Informant further saith, that he has lived five years with Sellis, but never had much conversation with him; that he was a positive obstinate man, but not particularly ill-tempered. Informant says, that Neale and Sellis were never friends; they had disputed about the Duke's wardrobe. Informant says, he hath heard Sellis say that he could not live with the Duke, if Neale was kept, and he believes Sellis had a great dislike to Neale: that Sellis for the last four or five weeks hath complained of a cold, but informant says he did not observe much alteration or difference in him.

Sworn before me, June 1, 1810,
J. READ.

Middlesex.—The Information of FREDERICK GRIVEL, Valet-de-Chambre to his Royal Highness the Duke of CAMBRIDGE.

Who, being upon his oath, saith, that he has lived with his Royal Highness about 15 years, and has known Sellis about nine years of the time; that he has frequently met him at Windsor, Brighton, Oatlands, and other places; but seldom saw him in London. He was upon very good terms with him, but not very intimate with him; says that as far as he knew of him, he was a very quiet, orderly, and sober man. Informant further saith, that about twelve months ago he was in company with Joseph Sellis, at Windsor, when he appeared dissatisfied. the Duke of Cumberland, saying that he wished to get a Messenger's place, and that if the Duke had spoken a good word for him, he was sure he could have got one for him; and that if he, Sellis, could get another place in three months, he would leave his Royal Highness the Duke of Cumberland; and that if he was a single man, and had not a wife and family, he would leave him directly; and further said, that he was upon ill terms with Neale, the other valet, and that he was so great a scoundrel, he could not live to live with him. Informant said to him it was very hard for a person when he lost one place to get another, particularly as he was a foreigner, and he advised Sellis to console of it. The conversation then ended; and informant has not heard him talk in that way since. That the last time this informant saw Sellis was on the 17th of this month, at Windsor, but he had no particular conversation with him at that time; he complained of being ill, and said he had laid in bed all Sunday. F. GRIVEL.

Sworn before me, June 1st, 1810,
J. READ.

Middlesex.—The Information of MARGARET JONES, one of the Housemaids in the service of his Royal Highness the Duke of CUMBERLAND.

Who being upon oath, saith, that she has lived in the service of the Duke about 14 weeks; that it is her place to make the Butler's bed, the Housekeeper's bed, Mr. Sellis's bed, and her own bed; there is a spare bed where the Adjutant of his Royal Highness's Regiment used to lay, and when he has slept there she has had that to make; that she has made Mr. Sellis's bed twice this week, but does not recollect to have made it before, except that she might have made it once when she first came. Mr. Sellis never asked her to do it till this week, he always asked Sally to make it, and informant believes she did make it; informant further saith, that she has looked at the lantern which was found in the closet of the room, but says she never saw it before, and never saw Mr. Sellis with any lantern; informant says, that she was in the housemaid's room on Wednesday night about eight o'clock, Sarah Varley and Sarah Tetherhead were there when Mr. Sellis came in, and desired informant to put his sheets on his bed as he should sleep there that night, saying the Duke was going to Windsor in the morning. That she afterwards made his bed, and about nine o'clock she saw him go into the Duke's room to dress the Duke, the informant then being in the page's room. Informant says, that about a quarter past ten o'clock, she was in Mr. Salisbury's (the Duke's Steward) sitting-room, to get it ready for the morning, last

it should be wanted before she was up (Mr. Sellis having said that the Duke was going to Windsor in the morning), and as she was emptying the wash-hand bason, Mr. Sellis went into his own room, and she then asked him if the Duke was going to Windsor early in the morning; Sellis answered her, that the Duke had said so in the morning, but had not said any thing about it in the evening. The door of Mr. Salisbury's sitting room opens opposite the door of Mr. Sellis's bed-room, and was wide open; Sellis was in his own room, undressing himself to go to bed, he had got off his coat and waistcoat, and his shoes, and the curtains of the bed were undrawn, ready for him to get into bed. Says that she saw Sellis undraw the curtains; both the doors of Mr. Sellis's room were open whilst she was speaking to him. Sellis then wished her a good night and shut the door opposite Mr. Salisbury's room, but she did not hear whether he bolted it or not; informant says, that after she had finished what she had to do in Mr. Salisbury's room she went up to bed; informant further says, that about half past eleven o'clock she was awoke out of her sleep by Ann, the kitchenmaid who sleeps in the same room with informant, and was then coming to bed, and asked her what she had been walking about the passage so long for; informant told her that it was not her; she said it was very like informant's step, and that it was some person shuffling along in old slippers, and gone up the stairs leading from the kitchen to the Page's room.

The mark ⋈ of MARGARET JONES.
Sworn before me, June, 1st 1810,
J. READ.

Middlesex.—The Information of ANN RUDDUCK, Kitchenmaid to his Royal Highness the Duke of CUMBERLAND.

Who being upon her oath, saith, that she has lived with his Royal Highness about twelve months, that she has seen Mr. Sellis carry a dark lantern, it was about three weeks ago, as near as she can recollect.—Informant was going up stairs to bed, and Mr. Sellis was coming from his bed-room, it was a little before eleven, he was going down stairs, she says they wished each other a good night as they passed; the lantern which he had in his hand was a round dark lantern, and she has seen him once before with the same lantern, but does not recollect when.—Informant says that she was in a room adjoining the kitchen on Wednesday night a little before eleven; Mary Saxby was with her, and they heard a noise made by some person in the passage adjoining the room where they were sitting, and they thought Margaret was not gone to bed; but upon going up to bed afterwards she found her asleep, and she has not discovered who it was that she heard walking about, all the women servants were then in bed except herself and Mary Saxby, and she believes all the men also, except those who were out with the Duke.

ANN RUDDUCK.
Sworn before me, 1st June, 1810.
J. READ.

Middlesex.—The Information of SARAH WILSON.

Who, upon her oath, saith, that she lives with Mrs. Combe, wife of Mr. Alderman Combe, as her maid, with whom she has lived ten years; that about the year 1796 (to the best of her recollection as to the time), she left England in the service of John Barker Church, then of Berkley-square, Esq. and sailed for America; a man named Joseph Sellis, an Italian, and whom she believes from what she has heard to be the same person that has since been in the service of his R. H. the Duke of Cumberland, went with them in the capacity of Valet to Mr. Church. They arrived at New York, and Joseph Sellis continued in the service of Mr. Church about a year and a half, when Mr. Church discharged him, suspecting that he had robbed his desk. She says that Joseph Sellis remained three weeks in the service of Mr. Church after the robbery, before Mr. Church accused him, Mr. Church having examined all the servants to endea-

DIRECTIONS TO THE BOOK-BINDER

It is to be observed, that this sheet, which is the last of Volume XVII, should not be cut open by the Reader, but should be left to the Book-binder, who will perceive that the first half, viz. p. 1025 to 1040, (of which this page makes a part,) comes at the *end*, and that the rest of the sheet, containing the Title Page and Table of Contents, &c. &c. is to be cut off, and placed at the *beginning* of the Volume.

SUPPLEMENT to No. 27. VOL. XVII.—Price 1s.

vour to find out the person who had committed the robbery, and Sellis assisted his master in so doing, without any suspicion alighting upon him at that time, and during the inquiry no person was accused.—The habits of Mr. Church were to have Joseph Sellis sit up for him whenever he went out; but when he staid at home he used to have his night-gown and slippers after supper, and send Sellis to bed. After all attempts to find out the robbers had failed, Mr. Church recollected, that on the night the robbery was committed, he had sent Joseph Sellis to bed, and after that he had fallen asleep in the parlour, and had been awoke by a noise which occasioned him to rouse himself, and he then got up and went to bed; and the recollection of this circumstance led Mr. Church to suspect that Joseph Sellis had come to see whether he was gone to bed or not; and it was the next day, morning, when Mr. Church heard his desk had been broke open and robbed. Mr. Church upon this accused Sellis as being the person who had robbed him, but had no proofs against him except finding a hammer in his possession, the claws of which fitted the marks which were made in the desk. Sellis answered, that he did not mind Mr. Church's accusation, as he knew himself to be innocent, and appeared very calm, and seemed to care nothing about it. Mr. Church not being satisfied with his denial of the robbery turned Sellis away. Informant says, there was an examination of Sellis before a Magistrate at New York; but nothing came of it, as there was no proof against him, and Sellis was not put into any confinement. This informant further saith, that soon after this she heard from Mr. Philip Church that Joseph Sellis had left New York and was gone to Philadelphia, and this informant says she has lost sight of Sellis from that hour to this; and she has never since seen him. Informant further saith, that she hath often heard Sellis say whilst in Mr. Church's family at New York, when sitting at table in her presence, Damn the English King and all the Royal Family, the Government, and all Kings, and it is a pity that they were not done away with; and that he said it in a most malicious voice and looks. Many arguments arose upon this, which occasioned him to damn the Almighty; and she believes him to have been a very morose malicious man, and very inveterate against this country. Informant saith that whilst Sellis was at New York she heard that he had been paying his addresses to some English woman residing in England, and that he then kept up correspondence with her, which occasioned this informant to deal favourably by him, thinking that by marrying her he might become reformed. Informant saith, that she has been led to understand that he was living in the service of one of the Royal Dukes, but did not hear which, and that he had married and had children, but she has never seen him since he left Mr. Church's service in America; says it may have been six or seven years ago since she first heard that Sellis was living with one of the Royal Dukes, and she has frequently inquired after Sellis from the Royal servants when the Prince and the Duke of York have been at Mr. Alderman Combe's beef-steak dinners, but never could hear of him by that time; the reason she never mentioned the character of Sellis to any one particularly, was thinking that his marriage with an Englishwoman, and the number of years which had elapsed since he was in America, had altered his character and habits of thinking, and she never even mentioned it to Mrs. Combe until she told her what had happened in the Duke of Cumberland's family. Informant says that she is not acquainted with any of the domestics of the Duke of Cumberland, nor any of their connections. Informant saith, that she never recollects having seen a man of the name of Ferdinand Burzio either in America or in England. SARAH WILSON.

Sworn before me, June 8, 1810,
J. READ.

Middlesex.—The Information of MARTHA PERKINS, wife of JOHN PERKINS, both Servants to JOHN BARNARD, Esq. of Great Queen-street, Lincoln's Inn-fields.

Who upon her oath, saith, that she went from England to live in the family of John Barker Church, in America, and found Sarah Wilson and Joseph Sellis there, and she recollects the circumstance of Mr. Church having been robbed, and that Sellis was accused of it and turned away in the manner Sarah Wilson has described it, and informant further saith that she hath been present and very frequently heard Joseph Sellis say, Damn the King and all the Royal Family of England, and she once heard him say that he

was the man who had thrown the stone at the King in going to the House of Commons. Informant says, that she left America in the year 1799, and never saw Sellis until about six years ago, when she first met him in Gerrard street, she just stopped and spoke to him, she told him she had heard that he lived with one of the Royal Family, he answered that he did, but he did not say with which, and she did not ask him; and she says she never knew which of the Dukes he lived with until she heard it from Sarah Wilson yesterday. Informant says that she met Sellis again about three years ago in Oxford-road, they stopped and inquired after each others health, and informant asked him if he lived in the same place, he answered he did, but did not tell her where it was nor with whom he lived, he was dressed in plain common clothes both times when she saw him; says that she heard some time ago that Sellis had married an English woman, but does not recollect who told her, or how or when she heard it; says she thought him a very improper man to live in the Royal Family, but that she forbore to mention what she knew of his character and conduct, because he had married an English woman, and she did not like to do him an injury, and she hoped that from the circumstance of his having connected himself with an English woman that his manners and character were altered, and does not think that she should have mentioned it now if Sarah Wilson had not called upon her to do it. Informant saith that knowing the former character of Joseph Sellis she was not so much surprised as she would otherwise have been, had she not known it, when she was told what had happened on Thursday last in the Duke of Cumberland's family.

MARTHA PERKINS.

Sworn before me, June 3, 1810.

J. READ.

Middlesex.—The Information of ROBERT LUTMAN, of Norton street, Fitzroy-square, Cheesemonger,

Who being upon his oath saith, that he knew Joseph Sellis, who lived with his Royal Highness the Duke of Cumberland, and has known him for about fifteen years. Informant says he then was living with Mr. Church, in the character of groom. Mr. Church then lived in Sackville-street. Sellis was then out of place, and there being a French cook and a French butler in Mr. Church's family, Sellis came to visit them, and informant in that manner became acquainted with him. Mr. Church moved to Berkeley-square, and afterwards went out to America. Whilst Mr. Church lived in Berkeley-square, Sellis came to live with him as his valet, and in the month of March, 1797, went with the family to America, and continued in Mr. Church's service at New York until the latter end of the year 1798. Informant says that a person, named Ann Wilson, was at that time living with Mr. Church, and Martha Williams, who has since married a man named John Perkins. Informant says that he does not think there could have been a man more disaffected to the Government of this country than Sellis was, and also to the Royal Family. He has heard Sellis frequently say, Damn the King and the Royal Family, and once heard him say that he was the man who had thrown the stones at his Majesty as he was going to the House of Commons. Informant says he has never seen Sellis since he left Mr. Church's service in America. Says that about five years ago Joseph Orpwood, a fellow servant of his, whom he lived with at Mr. Church's, called upon him, and told informant that he had seen Sellis, and that he lived with the Duke of Cumberland. Informant says, that he expressed great surprise to Joseph Orpwood that such a rascal as Sellis could get to live with the Duke of Cumberland, and wondered who could have given him a character, this informant believing him to be a very unfit man, from his disaffected character, to live with any of the Royal Family. Informant says, that Sellis was suspected of having robbed Mr. Church's desk, and on that account Mr. Church turned him away; and this informant says, he has never seen him since, but he believes him to be the same Joseph Sellis who has lived with his Royal Highness the Duke of Cumberland.

ROBERT LUTMAN.

Sworn before me, June 5, 1810.

J. READ.

Middlesex.—The further Information of SARAH VARLEY, Housemaid.

Who being upon her oath, saith, that about eight or nine months ago, when Mr. Imms was living with the Duke in the capacity of steward, she missed a poker that was belonging to the page's sitting room for several days, and during the time it was missing, Mr. Neale ask[ed] her after it

three or four times, and she could give no account of it. When about three or four days after it had been missed, as she was making the bed of the page in waiting, and pulling out the bedstead, a poker fell from behind the bed, and thinks it fell upon her foot; it either fell upon her foot or on the floor, she cannot recollect which. She says that she picked it up, and placed it in the page's sitting-room, where it belonged. She does not recollect whether she told Mr. Neale that she found the poker again, or whether he asked her about it, but she is very sure that there was some conversation between her and Mr. Neale about the poker, after it was found, but the particulars of it she does not now recollect. Nothing since has passed about the poker till yesterday, when she was in the page's sitting-room. Mr. Salisbury (the Duke's Steward,) Mr. Neale, Mrs. Ward, and Mr. Paulet were present; something was said upon the bad conduct of Sellis, when she recollected the circumstance of the poker, and thought it right to mention it, and she related it in the same way she has done now, and said nothing more about it. Informant further saith, that at the time he lost the poker, Mr. Sellis was in waiting. Informant further saith that a few days before, or a little time after she missed the poker, she discovered (as she was making the bed) a little pistol wrapped up in a small green bag, hanging at the head of the bed, which rather alarmed her lest it might have been loaded. She did not mention this to any one, not even to the maids down stairs, and it continued hanging there at intervals until within a fortnight or three weeks, and since that time she has not seen it, and does not know who took it away, nor did she ever mention the circumstance till last night, when Mrs. Neale said it belonged to Mr. Sellis, but before this time she thought the pistol belonged to Mr. Neale.

SARAH VARLEY.

Sworn before me, the 1st June 1810.

J. READ.

Middlesex.—The Information of JAMES PAULET, one of the Pages to his Royal Highness the Duke of CUMBERLAND.

Who being upon his oath, saith, that he was last night in the Page's waiting-room, Mrs. Neale and two maids were there, but does not recollect that any man was there besides himself. Sarah Varley was one of the maids, and who mentioned the circumstance of a poker having been mislaid some months ago, which she said she had discovered a short time afterwards behind the bed of the Page in waiting, and she also said, that a short time either before or after it, she had discovered a pistol hanging at the bed's head in a small bag; informant says, that upon hearing this, he recommended it to her to mention every thing she had seen, as it was right every thing she had seen should be now properly mentioned, and soon afterwards he bid them all a good night, and went home without hearing any observations being made to it; and does not remember whether Mrs. Neale said any thing or not in answer to what Sarah Varley had said about the pistol. Informant further saith that about three weeks ago, being in the Page's waiting-room with Mr. and Mrs. Neale, a conversation took place upon something that had passed between informant and Sellis in the morning; it related to a push that Sellis had given him, and informant says, that he said he did not like things done between joke and earnest, and Neale said, You don't know Sellis; you have not been here long enough. It then occurred to this informant, that he had once seen a pistol behind the head of the waiting Page's bed, and he then told Mr. Neale, that he had often thought to mention it to him, but had always forgot it, and added that he was sorry he had not taken possession of the pistol, and that if he thought that any such thing were there then he would not sleep in the room. Neale then answered, in the presence of his wife, that he (Neale) would not sleep without it, and there is one there now. Informant then said, for God's sake fetch it out; which Neale immediately did in the presence of his wife, and said, There it is, and I keep that for my safety: it was in a bag—he, Neale, then locked it up in a glass-case which stands in the Page's room, and of which Neale keeps the key, and this informant believes from what the girl mentioned last night, that it must have been the same pistol which she had seen. Neale went on saying, that as you (meaning the informant) don't like it, you had better not mention any thing about it; informant said afterwards, that he detested having any fire-arms in his room, and if any thing of that sort happened again he would tell the Duke of it. JAMES PAULET.

Sworn before me, June 1st, 1810.

J. READ.

Middlesex.—The Information of CORNELIUS NEALE, one of the Valets of his Royal Highness the Duke of CUMBERLAND.

Who being upon his oath, saith, that about nine or ten months ago his character had been attacked by Sellis (one of the other Pages) before the Duke of Cumberland, by calling him a thief; and he also made other charges against him, which were afterwards investigated by Captain Stevenson, Major Thornton, and Mr. Watson, and found to be untrue, but notwithstanding which, he (informant) discovered an evil disposition from Sellis towards him; that he thought it right to hang a pistol at the head of his bed in the waiting Page's bed-room; it is a small double-barrelled pistol, and was kept loaded and hung in a red bag on the bed-post. Informant says the pistol is his, and he believes it to be the same pistol as had been described by Sarah Varley in her examination, and that he placed the pistol there to protect himself, and says that it had constantly hung there until within the three weeks, as well when the other pages slept there as when he slept there himself, it being the bed-room of the waiting-page on duty. Informant further saith, that about three weeks ago, hearing from Mr. Paulet, one of the other pages, that he disliked to have the pistol there, he took it away and locked it up in a cupboard in the Page's waiting-room, where it has been ever since.

CORNELIUS NEALE.

Sworn before me, June 1, 1810,

J. RLAD.

PRIVILEGE OF PARLIAMENT.

[*From the Letters of Publicola.*]

TO THE RIGHT HON. LORD ERSKINE.

"Nought could his firmness shake, nothing se-
Huzeal, still active for the common weal: [duce
Nor stormy tyrants, nor corruption's tools,
Foul Ministers, dark-working by the force
Of secret-sapping gold. All their vile arts,
Their shameful honours, their perfidious gifts,
He greatly scorned." THOMSON.

My Lord; After the very able and animated speech, which your Lordship delivered in the House of Peers, on the subject of the Privileges of the House of Commons, I did not expect it would be asserted by any one, pretending to be conversant in the Laws and Constitution of his country, that the Commons have power to dispense with the written law of the land. This, however, has been done, and by a gentleman, whose name and reputation are by no means inconsiderable in the political world. The Right Hon. George Ponsonby has told the House of Commons, that they can imprison the subject at their own discretion, notwithstanding the Great Charter of King John; and he says, that no Judge whatever, under any circumstances, has a right to interfere with the proceedings of that House. From the marked attention with which that gentleman's speech was received, and the frequent cheers which were given from both sides of the House, one would think that the Commons had made him their principal champion, and that they were willing to rest their cause, at least in the House, on his authority. They seem to have been of opinion, that if the power for which they contend could be defended at all, Mr. Ponsonby was the man to defend it. I agree with the Honourable House, that if their privilege to imprison a subject against the written law of the land could have been supported, the Right Hon. Gentleman would have supported it for them—

"Si Pergama dextrâ
Defendi possent; etiam hac defensa fuissent."

But the defence which the Right Hon. Gentleman has made is not supportable; and that it is not, I think I am prepared to shew, in a few remarks which I beg to submit to your Lordship's consideration, and which, without farther preface, I trust will meet with a courteous reception.

In the first place, then, I shall observe, that the Parliament of this country consists of three estates; the King, the Lords Spiritual and Temporal, and the Commons*. These three estates, united to-

* I am aware it is contended by some, "that the Court of Parliament consists of the King's Majesty, as sitting there in his Royal capacity, and of the three estates of the realm," which, say they, are "the Nobility, Clergy, and Commonalty:" and (they add) "the King comes in upon a higher denomination and title; namely, the head of these three estates; and therefore, say they, those who have gone about to make the King one of the three estates are mistaken." But this doctrine is not, I conceive, maintainable at this day; for "the Lords Spiritual and Temporal are now in reality only one estate." (See Dyer 60.) And (as Mr. Christian ob-

gether, and considered as one aggregate body, are omnipotent; that is, they can make law; and that which is law, they can make no law; but taken separately, and independently one of another, they can neither make nor unmake laws; for the consent of all three is required to every act to bind the subject. This is the true constitution of England; and therefore no written law which is now in existence, can be repealed otherwise than with the concurrence of the King, the Lords, and the Commons. But, says the Right Hon. Gentleman, we (the House of Commons) have a privilege to imprison and punish at our own discretion; we do not care for an Act of Parliament, which declares, that "no man shall be imprisoned or put to death without the intervention of a Jury;" we can break down that barrier; and we will break it down, and when we have done so, there is no power upon earth that can call us to account; we are "the sole judges of our own privileges—the sole judges of what those privileges are,—the sole judges of the extent (only observe, my Lord, the extent!) to which those privileges are to be carried; and the sole judges of the manner in which those privileges are to be exercised." And are we really come to this? Are the people of England blind? Or are they so indifferent, that they can disregard the declaration made by the Right Hon. Gentleman, that the House of Commons alone (without the concurrence of the King and Lords) are omnipotent; that there is nothing but what they can do, if it be called by the name of privilege; and that the Judges of the land are estopped from declaring when they do wrong? Where does the Right Hon. Gentleman learn this law? Where did he find it said, that the House of Commons alone can repeal the written law of the land? He has referred to my Lord Coke: he has cited Sir Matthew Hale: he has favoured us with extracts from Sir William Blackstone; but does any one of those writers say, clearly and distinctly, that the House of Commons alone can do away the written law of the land; that they can confine and punish the subject at their own discretion; in short, that they can do any thing they please, and that no court of justice in this country has power to judge of their acts and to declare when they exceed their powers? If any one, or even all of the great legal writers should have said these things, I would respectfully have disregard to them; for I know, that they are decidedly repugnant to the spirit of our Constitution; and I can never forget what my Lord Holt (as great a lawyer as ever lived) declared upon the bench, viz. "that the authority of Parliament is from the law, and as it is circumscribed by law, so it may be exceeded; and if they do exceed those legal bounds and authority, their acts are wrongful, and cannot be justified any more than the acts of private men." (1 Salk. 505.) The Right Hon. Gentleman must have been aware of this declaration of the learned Judge; but as it differs from his sentiments, he wishes to cast my Lord Holt in the back ground, by calling him singular; but that he was not quite so singular as that Right Hon. Gentleman wishes the people to believe, I shall shew, when I come to speak of the authority which the Judges have to interfere in matters of privilege of Parliament.

The Right Honourable Gentleman asserts, that "Privilege of Parliament is as much *lex terræ*, and as much within the exception of Magna Charta, as any one part of the known law of the land that comes within its exceptions." To this I reply, that the Right Hon. Gen-

---

serves) "there seems to be no reason to doubt, but that any Act at this day would be valid, though all the temporal Lords or all the spiritual Lords were absent." Blackstone, vol. i. p. 155.) My Lord Holt very justly observes, that "neither House of Parliament, nor both Houses jointly, can dispose of the liberty of the subject, or property of the subject; for to this purpose the King must join; and it is in the necessity of their several concurrences to such acts, that the great security of the liberty of the subject consists." (2 Raym. 1112.) In January, 1648, the Commons passed a vote, "That whatever is enacted or declared for law by the Commons in Parliament assembled, hath the force of law; and all the people of this nation are concluded thereby, although the consent and concurrence of the King or House of Peers be not had thereto;"—but, when the Constitution was restored in all its forms, it was particularly enacted by statute 13 Car. II. c. 1. that "if any person shall maliciously or advisedly affirm, that both or either of the Houses of Parliament have any legislative authority without the King, such person shall incur all the penalties of a præmunire."

tleman is completely mistaken. The House of Commons had no jurisdiction whatever till several years after the existence of Magna Charta. My lord Coke, indeed, has carried the antiquity of that House much higher; but he is quite wrong, for the first writ for the election of knights, citizens, and burgesses, was of the 49th year of the reign of King Henry the Third—(vide Dug. Sum. Parl. 3. Cot. Abr. Pref. 13. b.) In the 35th year of Elizabeth, ann. 1592, Sir Edward Coke was Speaker of the House of Commons, and he then attempted to mislead it in a manner which deserves to be made known. He talked very highly of the antiquity of Parliaments, and of the mode of holding Parliaments such as it is at this day; and said he had a book, which, if any member desired to see, he would shew it him; being a Precedent of a Parliament holden before the Conquest, intitled *Modus tenendi Parliamentum*; but no sooner had he extolled its antiquity and authority in print, than that most judicious industrious antiquary, Mr. John Selden, decried it to be a late and idle fancy, not exceeding the reign of King Edward the Third—(Hist. of Tithes, p. 708 to 721;) and the learned divine, Bishop Usher, in a letter to Mr. W. Hakewill, of Lincoln's Inn, who affirmed he had seen an exemplification thereof in the reign of King Henry the Fourth, said to be sent by King Henry the Second into Ireland,) conceived it to be a mistake; and that this Modus was not so ancient, many pregnant evidences of its novelty appearing throughout its whole contexture. To these I will add the observations of the learned and industrious Mr. Prynne, namely, that the word Parliament was not in use in the Conqueror's reign; for, says he, "that word, to express or denote a Parliamentary great council as this *Modus* useth it, was never used in any of the ancient great councils, synods, laws, canons, constitutions, charters, patents, writs, or other records, nor yet in any of our old historians, living in the reigns of our British, Saxon, Danish Kings, before, or of our Norman or English Kings, after the Conquest, till the reign of King Henry the Third;—(vide Pryn. on 4th Inst. p. 2;) and, therefore, he is very much dissatisfied with Sir Edward Coke for his declaration, or, at best, his mistake, and likewise observes, that "had this been the mode of holding Parliaments in Edward the Confessor's reign,* and this *Modus* shewn to, approved, and used, by William the Conqueror, and in the times of his successors, Kings of England, as its title asserts, (which certainly was added long after the Conquest, if the *Modus* was before it,) or transcribed in a parchment roll, and sent into Ireland by King Henry II. to be there observed, and that, no doubt, by the advice of his Judges, it is very probable some of our historians, Parliamentary writs, rolls, records, statutes, or law-books, would have mentioned it; especially Statham, Fitsherbert, Brook, Fortescue, Sir Thomas Smith, Edward Vowell, Hollinshed, and Mr. Camden, in their Titles and Discourses of Parliaments. But (adds he) not one of all our ancient historians, Parliament writs, rolls, records, journals, statutes, law-books, or writers of Parliaments that I have perused, ever made the least mention of it, before Sir Edward Coke vouched it in the Parliament of 35 Elizabeth, when he was Speaker." (See Pryn. on the 4th Inst. p. 6, 7.) And in his "Additional Appendix of Records," (p. 1,) he tells us, that in perusing Mr. Agar's Abridgment of *Placita coram Rege* in the Treasury of the receipts of the King's Exchequer, he found at the end of his Abridgment and table to the *Placita* of King Richard II. this *Modus tenendi Parliamentum*, transcribed by him, out of a manuscript in Sir Robert Cotton's Library, as relating to the time of King Richard II. and containing some passages in it transcribed out of records in his reign. Therefore Mr. Hagar thought that its highest antiquity did not exceed the latter end of King Richard II.'s reign; and so (says Mr. Prynne) the author's discourse of its antiquity and authority will prove but a mere Utopian fancy of his own invention.

(To be continued.)

---

* I embrace this opportunity to observe, that, as to the Laws of Edward the Confessor, the authenticity of those in print is controverted by Dr. Hickes. (Hic. Thes. Ling. Septen. dissert. epist. 95.) In truth, (says Mr. Serjeant Runnington) what were in reality the laws of Edward the Confessor is much disputed by antiquarians, and our ignorance of them seems to be one of the greatest defects in English history. The collection of Laws in Wilkins, which pass under the name of Edward, are plainly a posterior work of an ignorant compilation. (Hale's Hist. of the Com. Law, c. 6. note B.)

OFFICIAL PAPERS.

GENERAL SARRAZIN.

FRANCE.—*Copy of a Letter from General Valée, Gov. to the Minister of War, dated Boulogne, June* 11.

"I had the honour of communicating to your Excellency this morning by a telegraphic dispatch, that I had received certain information that the General of Brigade Sarrazin, went over to the enemy yesterday. On the morning of the 10th inst. Gen. Sarrazin, accompanied by a black servant, embarked at the Little Warren, in a boat belonging to a fisherman of the name of Camier, under pretence of going out to fish. Having gained a considerable offing, and perceiving an English brig, he compelled the crew to put him on board her, asserting that he had orders to carry a flag of truce. Having reached the brig, he sent back the boat, after having given to the owner a declaration, stating, that he had ordered his fishing vessel to put him on board the English brig, upon something relating to the service. These facts are substantiated by the official reports. [illegible] as I became acquainted with [illegible] having deserted to the enemy, the countersign was changed throughout the military district; strong guards and patroles took the rounds vigilantly. I immediately ordered Col. Vincent, my first Aide-de-camp, and Capt. Monfuset, of the Gendarmerie, who commanded the public force, to proceed as quickly as possible to the camp on the left, in which the residence of Gen. Sarrazin was. All his papers were secured. His two Aides-de-camp and servants were sent before the Commissary-General of Police, as well as the crew of the boat St. Laurent, every one, in short, suspected of having connected with Gen. Sarrazin, or who could communicate any thing relating to his conduct.—The resolution of this General Officer astonished the whole army with astonishment, and can only be ascribed to a sort of madness. As the Generals, the principal Captains but even the Soldiers cannot account for it, and I am the more surprized myself, having received from this General the most positive assurances of his zeal, of his attention to his duty, and of his wish to promote the good of his Majesty's service. There was no person who was more indefatigable in his duty, who entered more minutely into the details of his command, and by the measures he adopted, impressed an opinion that every thing he did was for the good of the service. The very eve of his flight he communicated to the the result of an examination into the accounts of the troops under his command. Assuredly, Sir, after these speaking proofs, it was impossible to direct the slightest suspicion against the conduct of that General Officer.—I have the honour, &c. [illegible] exceed all [illegible] in all of the [illegible]

COBBETT'S

Parliamentary Debates:

The Fifteenth Volume of the above Work is in the Press, and will be published with all proper dispatch. All Communications will be carefully attended to; but it is particularly requested that they may be forwarded as early as possible.

END OF VOL. XVII.

Published by T. BAYLAW, Brydges-Street, Covent Garden.—Sold also by J. BUDD, Pall-Mall.
LONDON:—Printed by T. C. Hansard, Peterborough-Court, Fleet-Street.